

FILED
COURT OF APPEALS
DIVISION II

2017 DEC 19 AM 11:06

No. _____
Thurston County Superior Court No. 13-1-00914-9

BY _____
DEPUTY

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON
DIVISION TWO

IN RE THE PERSONAL RESTRAINT OF
BRIAN COX

IN RE THE PERSONAL RESTRAINT OF
BRIAN COX (WITH APPENDIX)

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I. STATUS OF PETITIONER

Brian Cox was convicted of two counts of solicitation to commit first degree murder and one count of violation of a domestic violence protective order. On March 4, 2014, he was sentenced to 398 months in prison. Appendix 95-106 He appealed. *State v. Cox*, 45971-0-II. This Court affirmed in an unpublished decision. Appendix 104-37. The mandate issued on January 25, 2017.

II. STATEMENT OF THE CASE

Ramon Lopez-Ortiz and Cox worked at the Washington State Department of Financial Institutions (DFI) since 2007 and maintained a professional relationship, though they rarely worked together. RP 275, 278, 687. They hadn't talk to each other for over two years when they rode in the same elevator at DFI near the end of April 2013. RP 279-280, 688. Cox mentioned that he was "going through an ugly divorce." RP 688. As they exited the elevator, Cox revealed that he had a \$250,000 life insurance policy on his wife and that he would give Lopez-Ortiz half of it if he "would make his wife permanently disappear." RP 281.

He just asked me if I wanted to do it or if I knew somebody, and I told him I didn't want to do it but I could probably find someone to do it.

RP 283. Troubled by the encounter, Lopez-Ortiz reported it to his program manager who reported it to law enforcement. RP 197, 261, 270-71, 288.

On June 6, Lopez-Ortiz called Cox at "his state-issued phone." RP 299. During the call, which was recorded by the police, Lopez-Ortiz asked Cox if he was serious about their prior conversation about his wife. When Cox asked if the call was being recorded, Lopez-Ortiz assured him it was not and that he was calling because he needed money. Cox indicated he had said many things in the past out of anger but suggested they meet in person to make sure they were talking about the same thing. State's Exhibit 7 at 2. Lopez-Ortiz reiterated he needed money, explaining he was "in debt with the IRS" for several thousand dollars. State's Exhibit 7 at 3. Cox told him he was "willing to borrow money -I am willing to go into debt for you ... if you do this for me." State's Exhibit 7 at 3. He then laughed before the two ended the call by agreeing to meet the following week. State's Exhibit 7 at 3-4. Meanwhile, they exchanged several e-mails, and in response to Lopez-Ortiz's inquires on whether Cox was serious, Cox answered, saying they needed to talk to make sure they were on the same page. RP 315; State's Exhibit 4.

Five days later the two met at DFI for about eight minutes. RP 226-28, 313. Lopez-Ortiz was wearing a wire and the conversation was audio-video recorded. RP 322-33; State Exhibits 6 and 8. It started with Cox admitting he had been pissed off and asking Lopez-Ortiz what he had told him. State's Exhibit 8 at 1. As the conversation continued, Cox asked Lopez-Ortiz if he was "fucking serious." State's Exhibit 8 at 1. Lopez-Ortiz responded with the same question. State's Exhibit 8 at 1. After patting Lopez-Ortiz down to see if he was wearing a wire, Cox said he was "totally serious" but no longer had access to the life insurance policy, commenting that he still wanted "that bitch dead" and that it was worth \$10,000, reasoning he would pay more because of the divorce. State's Exhibit 8 at 1-2. "Dude, we're talking murder here, man." State's Exhibit 8 at 2. They talked about Lopez-Ortiz finding someone else to do it and that Cox had an "injury settlement" coming "that is worth six figures." State's Exhibit 8 at 4.

Cox was taken into custody within the hour and gave a taped statement,³ wherein he denied trying to hire anyone to kill his estranged wife explaining that he had no money and that she was attempting to destroy him:

He told me (Detective Jennifer Kolb) that she had called the police on him four times, had called the FBI, had called him a terrorist. He told me that she was trying to get all his money and that he had made her some offers and she wouldn't take it.

RP 549.

Prior to filing for divorce in January 2013, Cox had informed his wife of his intentions and that he would wait until she took care of some medical issues to keep her on his insurance. RP 662-63, 666. After he filed for divorce, the FBI interviewed him because his wife had said he "was going to fly (his) plane into a building and commit a terrorist act." RP 667.

When confronted with his recorded conversations with Lopez-Ortiz, Cox said he wasn't serious, that doing such a thing would destroy his career, and that Lopez-Ortiz was trying to set him up. RP 557-58, 579-581. He admitted, however, that he had talked to Lopez-Ortiz about hiring him to "slash tires." RP 564-65.

Cox testified that when he met Lopez-Ortiz on the elevator, he could have possibly mentioned a life insurance policy, noting that if he had he wasn't serious. RP 689.

We're exiting the elevator, and it was kind of like, hey, I got an insurance policy, I'll split it with you if you make her disappear, you know, ha, ha, wink wink, nudge nudge, walking off, and that's how I would have presented it.

RP 690.

When Lopez-Ortiz called him on June 6, he laughed, thought

“this must be one of his practical jokes trying to get back at me now. And so it sounded like I was on speaker phone so I’m going, are you serious, are you like recording this or something, trying to set me up, frame me? Oh, no uhn-uhn, uhn-unh.

....

And he asked me if I was serious, and so I figured I was going to call his bluff and then I go yeah. I don’t recall what I said, but yeah, whatever it was. I’m serious, yeah, what are you going to do.

RP 691.

Regarding the June 11 meeting, Cox stated:

We didn’t discuss any plan for anything in the future, to discuss anything again in the future. I was still trying to figure out if he was actually serious and do you want to do this, or if he was trying to set me up and frame me, or if it was just another sick joke and I was expecting people to jump back, gees, Brian, I can’t believe you fell for it, that type of thing.

RP 700. Cox agreed that he used the word “murder” during this meeting because he “wanted to make sure it was clear that he (Lopez-Ortiz) was the one talking about it.” RP 754-55. “I didn’t say we’re talking murder, I said you (Lopez-Ortiz) are.” RP 755.

Cox remained in custody pending trial. While in custody in the Thurston County Jail for the charge of first-degree robbery, 53-year-old Kenneth Parmley, with five prior convictions for crimes of dishonesty, was a cellmate of Cox "from June 21st into July, towards the end of July." RP 472-74. According to Parmley Cox told him "he thought that he was - he was going to be convicted unless something was done with (Lopez- Ortiz)." RP 481. "That the only chance he had was for Mr. Ortiz to disappear, as he put it." RP 481.

A. He asked if I knew anybody who or if I could - if I was out, if I could help him out with that.

Q. Did he get any more specific on what "help him out" meant?

A. To get rid of Mr. Ortiz.

RP 482.

In "looking to get a break in (his) case(,)" Parmley said he played along, telling Cox "I couldn't do it myself but I knew somebody who could." RP 482. I told him this person "had a pig farm." RP 487.

Q. Where in the conversation did you first tell Mr. Cox about that?

A. It would have come up when we were talking about disposing of the body.

Q. And in your thought process, what's the importance of the pig farm?

A. That they will pretty well eat everything, I guess.

Q. Did you explain why that was important to Mr. Cox or did you have a discussion with him about that?

A. No, he knew, I mean.

Q. Did he seem surprised when you mentioned the pig farm?

A. He kind of smiled actually.

RP 487-88.

When Cox asked how much it would cost, Parmley told him it would be "in the neighborhood of \$20,000." Cox said that "was doable."

RP 492. Once they were both bailed out, Cox would give him "some money to operate on to get up there and talk to the person who was going to do it." RP 486.

[H]e wanted to try to figure out how to get me out of jail. I told him I needed to be out to really do it. I couldn't really do it over the phones, through the mail and be safe here.

RP 483.

Parmley said that:

I talked to my attorney, he had talked to the prosecutor, tried to get a deal for me and they weren't going to do anything. But I talked -- a

little bit of time I thought about it and I just told my attorney that I felt like I needed to do it anyway.

Q. What changed your mind?

A. It may sound kind of corny, and I started reading the Bible and stuff and I just wanted to do the right thing, and I

was actually concerned if he got the wrong person, got ahold of the wrong person, that some of this stuff might actually happen.

Q. He being whom?

A. Brian Cox.

RP 504.

Parmley was housed in the same jail unit, D Tank, as were Cox and Sonny Borja. RP 612. And though he testified he had never talked with any inmates about how Cox was his ticket out of jail, Borja testified to the contrary, relating that Parmley told him that Cox was "going to be my (Parmley's) golden ticket out of here," and those were his exact words. RP 620. Borja heard Parmley tell Cox that if he bailed him out, he'd take care of his wife for \$10,000, to which Cox responded: [D]ude, no, I don't want - Brian said "I don't want to pay anybody," he said, "I don't. I'm not - - that's why I'm in here. No, I don't want to do this," you know. RP 618.

Cox admitted that he and Parmley "discussed our cases while playing cards and whatnot," but denied ever asking him to eliminate any witness or offering to bail him or anyone else out of jail. RP 715, 718-19.

"It was the exact opposite." RP 713.

He's the one who was asking me and trying to get me to bail him out and to take care of my witnesses. He would use the term "no face, no case."

RP 714.

I talked to him about my case, but it was him the whole time trying to get me to bail him out regarding solicitation.

RP 786.

To boost Parmley's credibility and undercut the testimony of Borga, the State called Thurston County Senior Deputy Prosecutor Mark Thompson. He testified that he was the first person advised by the corrections staff that Parmley had information about Cox he wanted to share. RP 462. He said that Parmley had not asked for any consideration in exchange for the information. *Id.* He said that Parmley's lawyer did not ask for any consideration either. RP 463. Instead Thompson testified that Parmley's lawyer

made it clear that Mr. Parmley just had felt it that this was wrong and what he had heard from Mr. Cox, and that he just wanted to come forward and let somebody know what had been said.

RP 463. He repeated that Parmley was not provided any consideration. *Id.*

On cross-examination, defense counsel asked:

So any of the notes or conversations from Mr. Parmley or conversations with Mr. Hack, was it mention that he had hoped, for in for a better deal?

Thompson said "no." RP 464. He testified that Parmley was initially charged with first-degree robbery but pled to second-degree robbery. RP 465. He said, however, that the reduction was because the robbery victim had prior criminal history and because of Parmley's "time in the

community that he had been successfully able to remain crime free.” RP 467.

In mid-July undersigned counsel made a Public Records Request to the Tumwater Police Department for the materials related to Mr. Cox’s arrest and prosecution. Appendix 1-4. Beginning in early August 2017, that department turned over their records in several batches. One document is a July 29, 2013 email from Thompson to Deputy Prosecutor Craig Juris, the trial prosecutor, about Parmley’s information. That email states:

My current offer on Parmley is not much: Attempted Robbery 1 and recommend 27 months (low end) of a 27-36 month sentence range. Despite the fact that my victim has impeachable priors, it’s a strong case.

However, if you are needing Mr. Parmley’s testimony against Brian Cox, you have my authority to offer to [sic] plead to (a “full”) Robbery 2 (not merely attempt) in exchange for his truthful testimony (which could be verified by polygraph, etc.) against Mr. Cox, which would include a full discussion of his proposed testimony/ Please make it clear that Robbery 2 is still a strike offense. However, his range would drop to 6-12 months. I ‘s be willing to give him 12 months CDP or 10 months work release; I’m not sure if he’s CDP eligible. You’ll be cc’d an email that I am sending to CDP staff to inquire about this. Karl Hack is his attorney

Appendix at 4. This email was not provided to Cox’s defense counsel prior to trial. Appendix at 2.

Undersigned counsel has researched and obtained Parmley's criminal history. At the time of his testimony, Parmley had five outstanding arrest warrants and these prior convictions:

- 1999 Driving While License Suspended – Aberdeen Municipal Court. Appendix at 5-6.
- 2000 Possession of Drug Paraphernalia – Aberdeen Municipal Court. Appendix at 7-11.
- 2001 Shoplifting – Tacoma Municipal Court. Appendix at 12-16.
- 2002 Attempted Possession of a controlled substance – King County District Court. A warrant was outstanding on that case until 2015. Appendix at 22-42.
- 2002 Obstructing a public officer – Aberdeen Municipal Court. 43-49
- 2002 Third Degree Theft – Kitsap District Court. A warrant was outstanding until 2011. Appendix at 50-52.
- 2004 Use of Drug paraphernalia – Aberdeen Municipal Court. Appendix at 17-21.
- 2004 Possession of Stolen Property in the third degree – Aberdeen Municipal Court. A warrant was outstanding until 2013. 52-58.
- 2004 Driving While License Suspended – Aberdeen Municipal Court. Appendix at 59-63.

- 2004 Theft in the Third Degree and Resisting Arrest. A warrant was outstanding until February 27, 2014. Appendix at 87-92.
- 2005 Possession of Stolen Property – Hoquiam Municipal Court. Appendix at 64-66.
- 2006 DUI in Thurston County District Court. Appendix at 70-73.
- 2013 Failure to Transfer Title and DWLS 3rd degree –Jefferson County District Court. A warrant was outstanding until February 21, 2014. Appendix at 67-69.
- 2013 DUI - Grays Harbor Superior Court. A warrant was outstanding until February 26, 2014. Appendix at 74-86.
- 2013 Driving While License Suspended in the Third Degree – Aberdeen Municipal Court. A warrant was outstanding until February 27, 2014. Appendix at 93-95.

The State disclosed Mr. Parmley's prior convictions to the defense but did not disclose his outstanding warrants or his history of failing to appear after promising various courts he would do so. Appendix at 2.

II. GROUNDS FOR RELIEF AND ARGUMENT

A. COX'S FOURTEENTH AMENDMENT RIGHT TO A FAIR TRIAL UNDER WAS VIOLATED WHEN THE PROSECUTOR PRESENTED FALSE EVIDENCE.

Cox's convictions must be reversed the State presented false evidence. The deliberate deception of a court and jurors through the presentation of known false evidence is incompatible with "rudimentary demands of justice." *Mooney v. Holohan*, 294 U.S. 103, 112, 55 S.Ct. 340, 341, 79 L.Ed. 791 (1935) .A conviction obtained by the knowing use of perjured testimony must be set aside if there is any reasonable likelihood that the false testimony could have affected the jury's verdict. *United States v. Bagley*, 473 U.S. 667, 680, n. 9, 105 S. Ct. 3375, 3382, 87 L. Ed. 2d 481 (1985); *Napue v. Illinois*, 360 U.S. 264, 269, 79 S.Ct. 1173, 3 L.Ed.2d 1217 (1959). This rule applies even where the false testimony goes only to the credibility of the witness. *Napue*, 360 U.S. at 269; There are two components to establishing a claim for relief based on the prosecutor's introduction of perjured testimony. First, the petitioner must establish that the testimony was false. *United States v. Polizzi*, 801 F.2d 1543, 1549–50 (9th Cir.1986). Second, the petitioner must demonstrate that the prosecution knowingly used the perjured testimony. *Id.*

Deputy Prosecutor Thompson's testimony was false. Contrary to his testimony on July 2013, he had made an offer to reduce Parmley's charge. Also contrary to his testimony he assessed the case against Parmley as strong. Nowhere in his July 2013 did he say that Parmley deserved a reduction because he had been crime free. Because Thompson

wrote the July 2013 email, he had to know his trial testimony was false. Deputy Prosecutor Juris received the email, so he too knew Thompson's testimony was false as Thompson was testifying. Juris nothing to correct the false testimony.

Thompson also testified falsely that Parmley's pending charges were reduced because Parmley had not been "able to remain crime free." The truth was that Parmley committed crimes regularly until his 2013 arrest. He had five outstanding warrants on the day he testified. Thompson and Juris are charged with the knowledge of those crimes because Parmley was presumably being held in the Thurston County jail.

There was also no doubt that Parmley's testimony was false. He said that he testified without consideration and simply because it was the right thing to do because Cox posed a future danger. But clearly Parmley got consideration in exchange for his testimony. Parmley was also likely expecting help in gaining favorable treatment in the following days when other courts held hearings on his outstanding warrants. The reduction in his charges also undermines his claim that his motivation in testifying was to protect the community.

There is a reasonable likelihood this false testimony affected the jury's verdict on both counts. On Count 2, there was no witness other than Parmley. He was a very flawed witness, but the State argued that he was

credible because from the “beginning he was told he wasn’t getting anything.” RP 866. The trial prosecutor repeated in rebuttal that Parmley “had nothing to gain.” RP 910. And Parmley’s flaws as a witness were such that the trial prosecutor took the unusual step of calling a fellow prosecutor solely to prop up Parmley’s testimony.

But also the testimony and conviction on Count 2 bolstered the conviction on Count 1. The issue there was whether Cox was making a bona fide offer to Lopez-Ortiz. Cox gave no one anything of value to kill his wife. Lopez-Ortiz testified that Cox was serious but uncertain. Cox said that he was joking. But the jury could have quelled any doubts about that by considering that, according to Parmley, Cox had threatened to kill Lopez-Ortiz. The jury could have reasoned that if Cox were not guilty on Count 1, he would have no reason to kill Lopez-Ortiz.

**B. COX WAS DENIED DUE PROCESS UNDER THE
FOURTEENTH AMENDMENT BECAUSE THE STATE
FAILED TO DISCLOSE MATERIAL IMPEACHMENT
EVIDENCE.**

The Supreme Court has held “that the suppression by the prosecution of evidence favorable to an accused upon request violates due process where the evidence is material either to guilt or to punishment, irrespective of the good faith or bad faith of the prosecution.” *Brady v. Maryland*, 373 U.S. 83, 87, 83 S.Ct. 1194, 10 L.Ed.2d 215 (1963). The

duty to disclose such evidence is applicable even though there has been no request by the accused, *United States v. Agurs*, 427 U.S. 97, 107, 96 S.Ct. 2392, 49 L.Ed.2d 342 (1976), and encompasses impeachment evidence and exculpatory evidence. *United States v. Bagley*, 473 U.S. 667, 676, 105 S.Ct. 3375, 87 L.Ed.2d 481 (1985). A *Brady* violation may also occur when the government fails to turn over evidence that is “known only to police investigators and not to the prosecutor.” *Youngblood v. West Virginia*, 547 U.S. 867, 870, 126 S.Ct. 2188, 165 L.Ed.2d 269 (2006) (quoting *Kyles v. Whitley*, 514 U.S. 419, 438, 115 S.Ct. 1555, 131 L.Ed.2d 490 (1995)). There are three components of a *Brady* violation: “[t]he evidence at issue must be favorable to the accused, either because it is exculpatory, or because it is impeaching; the evidence must have been suppressed by the State, either willfully or inadvertently; and prejudice must have ensued.” *Strickler v. Greene*, 527 U.S. 263, 281–82, 119 S.Ct. 1936, 144 L.Ed.2d 286 (1999). See also *Banks v. Dretke*, 540 U.S. 668, 691, 124 S.Ct. 1256, 157 L.Ed.2d 1166 (2004).

“[T]he exposure of a witness' motivation in testifying is a proper and important function of the constitutionally protected right of cross-examination.” *Davis v. Alaska*, 415 U.S. 308, 316–17, 94 S.Ct. 1105, 39 L.Ed.2d 347 (1974) (citation omitted). Where, as here, important additional grounds for impeachment have been suppressed, it “would have

added an entirely new dimension to the jury's assessment of [the witness]" so " 'there is a reasonable probability that the withheld evidence would have altered at least one juror's assessment [of the evidence]' " *United States v. Kohring*, 637 F.3d 895, 905–06 (9th Cir.2011).

The prosecutor is charged with knowledge of any *Brady* material of which the prosecutor's office or the investigating police agency is aware. See *Youngblood v. West Virginia*, 547 U.S. 867, 869–70, 126 S.Ct. 2188, 165 L.Ed.2d 269 (2006) (per curiam).

To establish prejudice, a petitioner must demonstrate that " 'there is a reasonable probability' that the result of the trial would have been different if the suppressed documents had been disclosed to the defense." *Strickler*, 527 U.S. at 289. "The question is not whether petitioner would more likely than not have received a different verdict with the evidence, but whether "in its absence he received a fair trial, understood as a trial resulting in a verdict worthy of confidence." (Id.) (quoting *Kyles*, 514 U.S. at 434). See also *Silva*, 416 F.3d at 986 ("a Brady violation is established where 'the favorable evidence could reasonably be taken to put the whole case in such a different light as to undermine confidence in the verdict.' ") Once the materiality of the suppressed evidence is established, no further harmless error analysis is required. *Kyles*, 514 U.S. at 435–36.

Here the prosecutor failed to disclose that Parmley was testifying falsely when he said he received no consideration for his testimony against Cox. And the prosecutor failed to disclose that Parmley had five outstanding bench warrants on the day he testified. The defense could have presented evidence that the existence of those warrants gave Parmley a motive to testify hoping the Thurston County Prosecutor would assist him in quashing the outstanding warrants.

In addition, had the prosecution revealed the five outstanding warrants, the defense could have impeached Thompson's testimony that Parmley had "time in the community that he had been successfully able to remain crime free." Having five outstanding bench warrants suggests that Parmley was not reformed or rehabilitated.

That Parmley had bench warrants could also have been evidence of dishonesty. Under CrRLJ 2.5(b) the court may order the issuance of a bench warrant for the arrest of any defendant who has promised in writing to appear but then does not do so. If the five warrants were issued after Parmley broke his promise to appear, the outstanding warrants indicate dishonesty and defense counsel could have impeached Parmley with them.

C. THIS PETITION IS NOT FRIVOLOUS AND SHOULD BE REFERRED EITHER TO THE TRIAL COURT FOR A REFERENCE HEARING OR TO A FULL PANEL OF THE COURT.

Under RAP 16.11(b), the chief judge may only dismiss a PRP without transfer to the superior court or referral to a three-judge panel if “the issues presented are frivolous.” Such issues are “frivolous” within the meaning of that rule if they fail to present an arguable legal or factual basis for collateral relief considering the constraints of PRP procedures. *In re Pers. Restraint of Khan*, 184 Wn.2d 679, 686–87, 363 P.3d 577 (2015). If a PRP filed in the Court of Appeals is not frivolous, however, it must be treated differently. A non-frivolous PRP that can be decided solely on the record must be referred to a three-judge panel for a determination on the merits. RAP 16.11(b). A non-frivolous PRP that cannot be decided solely on the record must be transferred to the superior court for a determination on the merits or a reference hearing. *Id.*

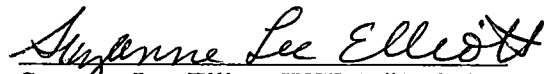
Cox’s claims are not frivolous. Cox believes that he is entitled to relief based upon the proof he has supplied with this petition. However, if the Court believes that additional facts are necessary or there are factual issues, this Court should remand for further hearings in the trial court.

IV. CONCLUSION

This Court should grant Cox’s petition, reverse Counts 1 and 2 and remand for a new trial. If the State disputes the July 29, 2013 email or Parmley’s court records, this Court should remand to the Thurston County Superior Court for an evidentiary hearing.

DATED this 18th day of December 2017.

Respectfully submitted,


Suzanne Lee Elliott, WSBA #12634
Attorney for Brian Cox

FILED
COURT OF APPEALS
DIVISION II

2017 DEC 19 AM 11:06

CERTIFICATE OF SERVICE

STATE OF WASHINGTON

I certify that on the date listed below, I served by First Class

BY DEPUTY

United States Mail, postage prepaid, one copy of this brief on:

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12/18/17
Date

Suzanne Lee Elliott

APPENDIX

I, Suzanne Lee Elliott, am over the age of 18 and make this declaration from personal knowledge.

1. I am a member of the Washington State Bar Association.
2. I was retained to represent Mr. Brian Cox for this personal restraint petition.
3. My investigator obtained the attached dockets for Mr. Kenneth Verl Parmley, Jr., DOB 12/5/60 from the official court clerks.
2. I made a public disclosure request to the Tumwater Police Department on July 18, 2017. I obtained the July 29, 2013 email exchange between Prosecutors Craig Juris and Mark Thompson because of that request.

I declare under penalty of perjury under the Laws of Washington that the forgoing is true and correct. Signed in Seattle, WA on December 18, 2017.



Suzanne Lee Elliott

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I, Paul Strophy, am over the age of 18 and make this declaration from personal knowledge.

1. I am a member of the Washington State Bar Association.
2. I was retained to represent Mr. Brian Cox in State v. Cox, Thurston County Cause No. 13-1-00914-9.
3. I have read a draft of the personal restraint petition in this matter and reviewed the materials Ms. Elliott discovered.
4. I was never provided with the July 29, 2013; email between Deputy Prosecuting Attorneys Mark Thompson and Craig Juris. The information I received was consistent with Mr. Thompson's testimony at trial. The testimony at trial was that Mr. Parmley received no consideration for his testimony against Mr. Cox. The email provided to me by Ms. Elliott states otherwise. I would have used this information to impeach both Mr. Thompson and Mr. Parmley. Moreover, this information would have corroborated the testimony the defense presented from two other inmates who asserted that Mr. Parmley's testimony was not truthful.
5. In addition, the State never informed me that Mr. Parmley had five outstanding bench warrants on the day he testified. Again, this information would have been valuable impeachment.

I declare under penalty of perjury under the Laws of Washington that the forgoing is true and correct. Signed at Olympia, WA on December 14, 2017.

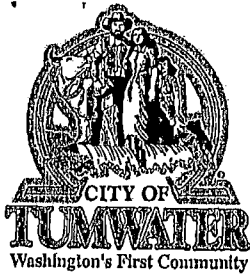

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Tumwater, WA 98501-6515
Phone: 360-754-5855
Fax: 360-754-4126

July 19, 2017

*Suzanne Lee Elliott
1300 Hoge Bldg Ste 1300
705 2nd Ave
Seattle WA 98104*

To Whom It May Concern:

The Tumwater Police Department (TPD) has received your public disclosure request for case 2013-01405, re: Brian Cox.

Pursuant to RCW 42.56.520, this is notification that we have received your public disclosure request, and we anticipate it may take up to 30 additional days from the date of this notification to provide a proper response. Additional time is required to research this request, collect responsive records, notify involved parties, and/or prepare records for dissemination.

If you have any questions or need further assistance with this request, please contact me at (360) 754-4200.

Sincerely,

*Jennifer Heath, Secretary II
Tumwater Police Department
(360) 754-4200
jnbheath@comcast.net*

Fwd: Re: Confidential info Parmley/Cox 131009149 [Your def - Brian Cox]
From "Mark Thompson"
To Craig Juris
Date 2013/07/29 17:09
Subject: Fwd: Re: Confidential info Parmley/Cox 131009149 [Your def - Brian Cox]
Attachments: Header

UPDATE:

Craig,

My case is set for trial the week of 8/26 and I just continued my PT until 8/12/13 because I'm on vacation the end of this week and next week (back the 12th).

My current offer on Parmley is not much: plead "as is" - Attempted Robbery 1, and recommend 27 months (low-end) of a 27-36 month sentence range. Despite the fact that my victim has impeachable priors, it's a strong case.

However, if you're needing Mr. Parmley's testimony against Brian Cox, you have my authority to offer plead to (a "full") Robbery 2 (not merely attempt) in exchange for his truthful testimony (which could be verified by polygraph, etc.) against Mr. Cox, which would include a full discussion of his proposed testimony. Please make it clear that Robbery 2 is still a strike offense. However his range would drop to 6 - 12 months. I'd be willing to give him 12 months CDP or 10 months work release; I'm unsure if he's CDP eligible. You'll by "cc'ed" an e-mail that I'm sending to CDP staff to inquire about this. Karl Hack is his attorney.

Please let me know what you decide. I'll be monitoring e-mails "casually" while gone.

FYI/thanks...Mark

>>> Mark Thompson 07/01/2013 10:00 AM >>>
FYI,

I had emailed Tami a question to clarify the specifics of Parmley's comment. Apparently there weren't anymore specifics than that!

Mark

>>> Tami Edwards 07/01/2013 9:56 AM >>>
Hello,

He implied that was the case, "My roommate is involved in a high profile case." was a quote. But he wanted to speak with a detective or supervisor before he would elaborate.

Tami

>>> Mark Thompson 7/1/2013 9:11 AM >>>

DEFENDANT
PARMELEY, KENNETH VERL JR
CASE: 99-038091 ABP
Criminal Traffic
Agency No.

AKA No aliases on file.

OFFICER
01128 ABP DALE, KEITH

CHARGES
Violation Date: 03/12/1999
1 46.20.342.3
DWLS 3RD DEGREE
DV Plea
N Guilty
Finding
Guilty

TEXT

S 03/15/1999 Case Filed on 03/15/1999

OFF 1 DALE, KEITH Added as Participant
ARR N Set for 03/25/1999 09:00 AM
In Room 1 with Judge MGS

03/25/1999

ARR N: Held
BENCH Warrant Ordered
Print on or after 03/25/1999
Warrant expires on 03/25/2001

ARR N Set for 04/01/1999 08:59 AM

In Room 1 with Judge MGS

BENCH Warrant Issued for

Fail to Appear for Hearing

Cash Bail Only

Bail: 500.00 + 0.00 Warrant Fee; Total Bail

ARR N: Held
ARR N Set for 04/08/1999 08:59 AM

In Room 1 with Judge MGS

04/08/1999

ARR N: Held
Warrant Served

08/28/1999

Warrant Returned

ARR N Set for 09/09/1999 09:00 AM

In Room 1 with Judge PDC

99242100043 Appearance Bail Posted for DEF 1

Posted by: PARMELEY, KENNETH VERL JR

09/09/1999

Case Heard Before Judge PDC

Defendant Arraigned on Charge 1

Plea/Response of Guilty Entered on Charge 1

Finding/Judgment of Guilty for Charge 1

Total Fine Imposed on Charge 1:

With 0.00 Suspended

Court Imposes Jail Time of 30 D on Charge 1

With 30 D Suspended

Charge 1: Def. Complied with Jail Sentence

Accounts Receivable Created

Case Scheduled on Time Pay Agreement 1 for:

200.00
200.00

U

Docket continued on next page

DD7020SX IEQ
09/20/2017 2:33 PM

ABERDEEN MUNICIPAL COURT
D O C K E T

PAGE: 2

DEFENDANT
PARMLEY, KENNETH VERL JR

CASE: 99-038091 ABP
Criminal Traffic
Agency No.

TEXT - Continued

S	09/15/1999 Payable Amount Changed	200.00 JIF
	Case Removed from Time Pay Agreement 249 30814 1	
	99258100024 Trust Applied to Fine Payment	200.00
	Paid in Full	
	Appearance Bail Marked Payable	300.00
	Court Chk Ref 1001 for Bail Refund	300.00
	to Payee: PARMLEY, KENNETH VERL JR	
U	AMC CHECK 1005	
S	Case Disposition of CL Entered	

ACCOUNTING SUMMARY

	Total Due	Paid	Credit	Balance
Timepay: N	200.00	200.00		
Trust Account:	Current Bail		Refunded /	
(Cash)	Amount	Applied	Transferred	Payable
		200.00	200.00	

ADDITIONAL CASE DATA

Case Disposition

Disposition: Closed

Date: 09/15/1999

Personal Description

Sex: [REDACTED] Race: [REDACTED] DOB: [REDACTED]

Dr.Lic.No.: [REDACTED] State: [REDACTED] Expires: [REDACTED]

Employer:

Height: 5 11 Weight: 175 Eyes: BRO Hair: BRO

Identifying Information: TAT R SHLD CELTIC CROSS/TAT BACK
CROSS OLYMPIA PORTRAIT OF HIS
MOTHER

Hearing Summary

Held	ARRAIGNMENT	ON 03/25/1999 AT 09:00 AM IN ROOM 1	WITH MGS
Held	ARRAIGNMENT	ON 04/01/1999 AT 08:59 AM IN ROOM 1	WITH MGS
Held	ARRAIGNMENT	ON 04/08/1999 AT 08:59 AM IN ROOM 1	WITH MGS
Held	ARRAIGNMENT	ON 09/09/1999 AT 09:00 AM IN ROOM 1	WITH PDC

End of docket report for this case

DD7020SX IEQ
09/20/2017 2:33 PM

ABERDEEN MUNICIPAL COURT
D O C K E T

PAGE: 1

DEFENDANT
PARMLEY, KENNETH VERL JR
[REDACTED]

CASE: YO-041528 ABP
Criminal Non-Traffic
Agency No.

Home Phone: [REDACTED]

AKA No aliases on file.

OFFICER
01738 ABP PARKINSON, DAVID W

CHARGES

Violation Date: 07/18/2000

1 69.50.412

POSS OF DRUG
PARAPHERNALIA

DV Plea
N Guilty

Finding
Guilty Oth Defr1

TEXT

S 07/19/2000 Case Filed on 07/19/2000 PJD
OFF 1 PARKINSON, DAVID W Added as Participant
ARR N Set for 07/19/2000 08:30 AM
in Room 1 with Judge PDC
ARR N: Held TLD
Defendant Arraigned on Charge 1
Plea/Response of Not Guilty Entered on Charge 1
OTH NPTC Set for 08/03/2000 11:30 AM
in Room 1 with Judge PDC
07/20/2000 PCN added to case JIF
08/03/2000 OTH NPTC: Held TLD
Plea/Response of Guilty Entered on Charge 1
Charge 1 Other Deferral : Other Pros Rsn
Case Heard Before Judge CONROY, PAUL DOUGLAS
Judge CONROY, PAUL DOUGLAS Imposed Sentence
Total Imposed on Charge 1: 475.00
with 0.00 Suspended
And 0.00 Other Amount Ordered
Deferred Sentence Condition : 12 M
Accounts Receivable Created 475.00
REV N Set for 02/01/2001 11:30 AM
in Room 1 with Judge PDC
SEN N Set for 08/02/2001 11:30 AM
in Room 1 with Judge PDC
09/01/2000 249100061 Partial Fine Payment Received 50.00 PJD
10/17/2000 291100048 Partial Fine Payment Received 100.00
02/01/2001 REV N: Not Held, Hearing Canceled JIF
08/02/2001 BENCH Warrant Ordered PJD
Print on or after 08/02/2001
Warrant expires on 08/02/2005
BENCH Warrant Issued for SYS
Fail To Appear For Hearing
Fail To Pay Fine Or Appear
Cash Bail Only
Bail: 500.00 + 0.00 Warrant Fee; Total Bail 500.00
SEN N: Not Held, Hearing Canceled JIF

Docket continued on next page

DD7020SX IEQ
09/20/2017 2:33 PM

ABERDEEN MUNICIPAL COURT
D O C K E T

PAGE: 2

DEFENDANT
PARMLEY, KENNETH VERL JR

CASE: YO-041528 ABP
Criminal Non-Traffic
Agency No.

TEXT - Continued

S	03/28/2004	Warrant Served		BVG
	03/29/2004	Warrant Returned		
		ARR N Set for 04/16/2004 09:00 AM		
		in Room 1 with Judge PDC		
	04/16/2004	ARR N: Not Held, Wt/FTA Ordered		
		BENCH Warrant Ordered		
		Print on or after 04/16/2004		
		Warrant expires on 04/16/2008		
		BENCH Warrant Issued for		SYS
		Fail To Appear For Hearing		
		Cash Bail Only		
		Bail: 2,500.00 + 0.00 Warrant Fee; Total Bail	2,500.00	
	04/24/2004	Warrant Served		BVG
	04/26/2004	Warrant Returned		
	04/27/2004	ARR N Set for 05/21/2004 09:00 AM		
		in Room 1 with Judge PDC		
	05/18/2004	ARR N Rescheduled to 05/18/2004 08:30 AM		
		in Room 1 with Judge PDC		
		ARR N: Held		
		Finding/Judgment of Guilty Oth Defrl Revoked for Charge 1		
		Imposing Judge Changed to Judge : CONROY, PAUL DOUGLAS		
		Court Imposes Jail Time of 90 Days on Charge 1		
		with 89 Days Suspended, and		
		0 Days Credit for time served		
		Total Imposed on Charge 1:	475.00	
		with 0.00 Suspended		
		And 100.00 Other Amount Ordered		
U		DEF IC TO SERVE JAIL TIME NOW		
S		Accounts Receivable Changed to	425.00	
		Authorized by BVG		
		Case Scheduled on Time Pay Agreement 1 for:	1,205.00	
	05/19/2004	Case Scheduled on Time Pay Agreement 1 for:	1,505.00	TAB
	05/27/2004	Charge 1: Def. complied with Jail Sentence		BVG
	06/13/2004	COMPLIANT Time Pay Statement Sent for Time Pay Agreement 1		SYS
U	06/18/2004	TTP STATEMENT RETD IN MAIL		PJM
S	07/11/2004	DELINQUENT Time Pay Statement Sent for Time Pay Agreement 1		SYS
U	07/16/2004	TTP STATEMENT RETD IN MAIL		PJM
S	08/15/2004	DELINQUENT Time Pay Statement Sent for Time Pay Agreement 1		SYS
U	08/23/2004	TTP STATEMENT RETD IN MAIL		PJM
S	09/13/2004	DELINQUENT Time Pay Statement Sent for Time Pay Agreement 1		SYS
U	09/20/2004	TTP STATEMENT RETD IN MAIL		PJM
S	09/22/2004	Case Removed from Time Pay Agreement 249 30814 1		
		BENCH Warrant Ordered		
		Print on or after 09/22/2004		
		Warrant expires on 09/22/2008		
	09/23/2004	BENCH Warrant Issued for		SYS
		Fail To Pay Fine Or Appear		
		Cash Bail Only		
		Bail: 425.00 + 0.00 Warrant Fee; Total Bail	425.00	

Docket continued on next page

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ABERDEEN MUNICIPAL COURT
D O C K E T

PAGE: 3

DEFENDANT
PARMLEY, KENNETH VERL JR

CASE: YO-041528 ABP
Criminal Non-Traffic
Agency No.

TEXT - Continued

S	10/21/2004	Warrant Served	BVG
	10/22/2004	Warrant Returned	
		OTH JAIL Set for 10/22/2004 08:30 AM	
		in Room 1 with Judge PDC	
		OTH JAIL: Held	
		ATY 1 BUTLER, DAVID P. Added as Participant	
		REV Y Set for 10/28/2004 02:30 PM	
		in Room 1 with Judge PDC	
		Notice Issued for REV Y on 10/28/2004 02:30 PM	PJM
U	10/28/2004	DEF WAS FURLOUGHED FROM JAIL TO RETURN 10/27 3PM, DID NOT	BVG
		RETURN, CASES CONT ONE WEEK FOR BUTLER TO LOCATE	
S		REV Y Rescheduled to 11/04/2004 02:30 PM	
		in Room 1 with Judge PDC	
	10/29/2004	Notice Issued for REV Y on 11/04/2004 02:30 PM	
	11/03/2004	Collection Delay Date of 11/06/2004 Added	PJM
	11/04/2004	REV Y: Not Held, Wt/FTA Ordered	BVG
		Accounts Receivable Changed to	525.00
		Authorized by BVG with Adjustment Code: CO	
		BENCH Warrant Ordered	
		Print on or after 11/04/2004	
		Warrant expires on 11/04/2008	
		BENCH Warrant Issued for	SYS
		Fail To Appear For Hearing	
		Cash Bail Only	
		Bail: 525.00 + 0.00 Warrant Fee; Total Bail	525.00
	12/23/2004	Warrant Served	DXP
	12/27/2004	Warrant Returned	
		REV N Set for 01/14/2005 09:00 AM	
		in Room 1 with Judge PDC	
	01/14/2005	REV N: Not Held, Wt/FTA Ordered	BVG
U		PER JUDGE PDC, ADD \$100 WF EACH, REISSUE	
S		Accounts Receivable Changed to	625.00
		Authorized by BVG with Adjustment Code: CO	
		BENCH Warrant Ordered	
		Print on or after 01/14/2005	
		Warrant expires on 01/14/2009	
		BENCH Warrant Issued for	SYS
		Fail To Appear For Hearing	
		Fail To Pay Fine Or Appear	
		Cash Bail Only	
		Bail: 625.00 + 0.00 Warrant Fee; Total Bail	625.00
	01/19/2005	Warrant Served	DXP
	01/21/2005	Warrant Returned	
		REV N Set for 02/11/2005 09:00 AM	
		in Room 1 with Judge PDC	
	01/27/2005	Collection Delay Date of 02/12/2005 Added	PJM
	02/11/2005	REV N: Not Held, Wt/FTA Ordered	BVG
U		DEF FTA AGAIN, ADD \$100 WF EACH REISSUE	
S		Accounts Receivable Changed to	725.00
		Authorized by BVG with Adjustment Code: CO	

Docket continued on next page

Cox Appendix 009

DD7020SX IEQ
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ABERDEEN MUNICIPAL COURT
D O C K E T

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DEFENDANT
PARMLEY, KENNETH VERL JR

CASE: YO-041528 ABP
Criminal Non-Traffic
Agency No.

TEXT - Continued

S 02/11/2005 BENCH Warrant Ordered BVG
Print on or after 02/11/2005
Warrant expires on 02/11/2009
BENCH Warrant Issued for SYS
Fail To Appear For Hearing
Fail To Pay Fine Or Appear
Cash Bail Only
Bail: 725.00 + 0.00 Warrant Fee; Total Bail 725.00
03/03/2005 Warrant Served BVG
Warrant Returned
OTH JAIL Set for 03/03/2005 08:30 AM
in Room 1 with Judge PDC
OTH JAIL Rescheduled to 03/04/2005 08:30 AM
in Room 1 with Judge PDC
Case Obligation Selected for Collections PJM
Collections: 1st Notice Prepared
03/04/2005 OTH JAIL Rescheduled to 03/07/2005 08:30 AM TAF
in Room 1 with Judge PDC
Case Obligation Cleared from Collections PJM
Collection Delay Date of 03/09/2005 Added
03/07/2005 OTH JAIL: Held BVG
REV Y Set for 03/10/2005 02:30 PM TAF
in Room 1 with Judge PDC
Notice Issued for REV Y on 03/10/2005 02:30 PM
03/10/2005 REV Y: Held BVG
Case Obligation Selected for Collections PJM
Collections: 1st Notice Prepared
U DEF PAY \$725 OR STAY 29 DYS JAIL ON YO-41528, MORE TTP ON TAF
C47629/605, C47630/775, C47631/300, PYMTS BEGIN 5-10-05 150/M
S 03/11/2005 Case Obligation Cleared from Collections
Collection Delay Date of 09/09/2005 Added
09/15/2005 Collection Delay Date of 12/30/2005 Added PJM
01/05/2006 Collection Delay Date of 03/31/2006 Added
04/06/2006 Collection Delay Date of 10/31/2006 Added
04/12/2006 Accounts Receivable Changed to 0.00 DXP
Authorized by DXP with Adjustment Code: JL
05/02/2006 Case Disposition of CL Entered

ACCOUNTING SUMMARY

	Total Due	Paid	Credit	Balance
Timepay: N	150.00	150.00		

COLLECTION STATUS

Status Date	Status Description	Cln Amt
03/11/2005	Cleared/Removed by User	725.00

ADDITIONAL CASE DATA

Case Disposition
Disposition: Closed Date: 05/02/2006

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ABERDEEN MUNICIPAL COURT
D O C K E T

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DEFENDANT
PARMLEY, KENNETH VERL JR

CASE: YO-041528 ABP
Criminal Non-Traffic
Agency No.

ADDITIONAL CASE DATA - Continued

Parties

Attorney BUTLER, DAVID P.

Personal Description

Sex: [REDACTED] Race: [REDACTED] DOB: [REDACTED]
Dr.Lic.No.: [REDACTED] State: WA Expires: 2021
Employer:
Height: 5 11 Weight: 175 Eyes: BRO Hair: BRO
Identifying Information: TAT R SHLD CELTIC CROSS/TAT BACK
CROSS OLYMPIA PORTRAIT OF HIS
MOTHER

Hearing Summary

Held	ARRAIGNMENT	ON 07/19/2000 AT 08:30 AM IN ROOM 1	WITH PDC
Held	PRETRIAL CONFERENCE	ON 08/03/2000 AT 11:30 AM IN ROOM 1	WITH PDC
Held	ARRAIGNMENT	ON 05/18/2004 AT 08:30 AM IN ROOM 1	WITH PDC
Held	IN CUSTODY	ON 10/22/2004 AT 08:30 AM IN ROOM 1	WITH PDC
Held	IN CUSTODY	ON 03/07/2005 AT 08:30 AM IN ROOM 1	WITH PDC
Held	REVIEW HEARING	ON 03/10/2005 AT 02:30 PM IN ROOM 1	WITH PDC

End of docket report for this case

11:02:41 Tuesday, September 19, 2017

D0030I Beginning of Docket

DD1000PI

DD1001MI Case Docket Inquiry (CDK)

TACOMA MUNICIPAL

09/19/17 11:02:37

PUB

Case: CR0047186 TAP CN

StID: _____

Name: _____

NmCd: _____

Name/Title: PARMLEY, KENNETH VERL JR
SHOPLIFTING

Case: CR0047186 TAP CN Criminal Non-Traffic

WARRANT ISSUED

S 05 21 2001 Case Filed on 05/21/2001
05 23 2001 LOC: 7050 S TAC MALL AVE ? AT 2100 HRS.
S 06 14 2001 ADMINISTRATIVE Warrant Ordered
S Print on or after 06/14/2001
S Warrant expires on 06/14/2009
S 06 15 2001 ADMINISTRATIVE Warrant Issued for
S Fail To Pay Fine Or Appear

OHP
OHP
EMH
EMH
EMH
SYS
SYS

11:02:43 Tuesday, September 19, 2017

D0071I More records available.

DD1000PI

DD1001MI Case Docket Inquiry (CDK)

TACOMA MUNICIPAL

09/19/17 11:02:42

PUB

Case: CR0047186 TAP CN

StID: -

Name:

NmCd: -

Name/Title: PARMLEY, KENNETH VERL JR
SHOPLIFTING

Case: CR0047186 TAP CN Criminal Non-Traffic

WARRANT ISSUED

S	06 15 2001	Bail: 800.00 + 100.00 Warrant Fee; Total Bail	900.00	SYS
S	09 06 2001	ARR INC Set for 09/06/2001 09:30 AM		JLS
S		in Room 2 with Judge AJE		JLS
		BOOKING ROSTER NOT AVAILABLE--USED CURRENT DATE AS BOOKING		JLS
		DATE		JLS
		BW BLOTTER 2001249002 9/6/01 DEFT ARRESTED ON BW FOR FTA		JLS
S		Warrant Served		JLS
S		Warrant Returned		EMH
S		PTR NP Set for 09/27/2001 09:00 AM		BLG
S		in Room 3 with Judge EEV		BLG
S		ARR INC: Held		LAL
		Prosecuting Atty: PENCZAR, JENNIFER WAGNER Present		NGH
		Defense Atty: MANZANARES, ANTHONY L. Present		NGH
S		Defendant Arraigned on Charge 1		NGH

11:02:46 Tuesday, September 19, 2017

D00711 More records available.

DD1000PI

DD1001MI Case Docket Inquiry (CDK)

TACOMA MUNICIPAL

09/19/17 11:02:44

PUB

Case: CR0047186 TAP CN

StID: _____

Name: _____

NmCd: _____

Name/Title: PARMLEY, KENNETH VERL JR
SHOPLIFTING

Case: CR0047186 TAP CN Criminal Non-Traffic

WARRANT ISSUED

S	09 06 2001	Plea/Response of Not Guilty Entered on Charge 1	NGH
		PER JUDGE EMERH--DEF PRESENT. AMENDED COMPLAINT FILED. NOT	NGH
		GUILTY PLEA. JURY TRIAL. DAC APPT. PROBABLE CAUSE READING	NGH
		WAIVED. SET PRE-TRIAL. LAB. NSI. BAIL> \$500 CASH OR BOND.	NGH
	09 07 2001	NOTICE OF APPEARANCE, DEMAND TO CONFRONT WITNESSES AND	RLH
		DISCOVERY DEMAND FILED.	RLH
S		01250100815 Appearance Bond Posted for DEF 1	500.00 DDC
S		Posted by: EXPRESS BAIL BONDS INC.	DDC
		POSTED ON 9/6/01 JAIL RECEIPT #198	DDC
S	09 27 2001	PTR NP: Not Held, Wt/FTA Ordered	CAD
		PER PRO TEM MOREY: DEF FTA. BENCH WARRANT> \$1000 CASH ONLY.	SAH
S		BFD : Bail/Bond Forfeiture due date	EMH
S		BFD Review Set for 11/29/2001	EMH
S	09 28 2001	BENCH Warrant Ordered	EMH

11:02:48 Tuesday, September 19, 2017

D0071I More records available.

DD1000PI

DD1001MI Case Docket Inquiry (CDK)

TACOMA MUNICIPAL

09/19/17 11:02:47

PUB

Case: CR0047186 TAP CN

StID: _____

Name: _____

NmCd: _____

Name/Title: PARMLEY, KENNETH VERL JR
SHOPLIFTING

Case: CR0047186 TAP CN Criminal Non-Traffic

WARRANT ISSUED

S	09 28 2001	Print on or after 09/28/2001		EMH
S		Warrant expires on 09/28/2009		EMH
S		Appearance Bond S5-357435	500.00	EMH
S		Forfeiture Ordered, A/R Created		EMH
S		BENCH Warrant Issued for		SYS
S		Fail To Appear For Hearing		SYS
S		Cash Bail Only		SYS
S		Bail: 1,000.00 + 0.00 Warrant Fee; Total Bail	1,000.00	SYS
	10 02 2001	FORFEITURE SENT TO EXPRESS BAIL		EMH
	10 09 2001	COPY OF WARRANT OF ARREST RETURNED -MOVED NO FORWARDING.		RXT
S	12 28 2001	01362100072 Forfeited Appearance Bond Posted	500.00	SRH
S		Posted by: EXPRESS BAIL BONDS INC.		SRH
S		Appearance Bail Forfeiture Ordered	500.00	SRH
S		Appearance Bail Marked Payable	500.00	SRH

11:02:50 Tuesday, September 19, 2017

D0031'i 'End' of Docket

DD1000PI

DD1001MI Case Docket Inquiry (CDK)

TACOMA MUNICIPAL

09/19/17 11:02:49

Case: CR0047186 TAP CN

PUB

Name:

StID: _____

NmCd: _____

Name/Title: PARMLEY, KENNETH VERL JR
SHOPLIFTING

Case: CR0047186 TAP CN Criminal Non-Traffic

WARRANT ISSUED

S	12 28 2001	Accounts Receivable Created	500.00	SRH
S		1362100076 Trust Applied to Bail Forfeiture	500.00	SRH
S		Paid in Full		SRH
S		Defendant Complied with Bail/Bond Forfeiture due date		SRH
	04 02 2003	MOTION/AFFIDAVIT/STATEMENT TO QUASH WARRANT FILED.		RLH
S		OTH WAR Set for 04/09/2003 02:05 PM		RLH
S		in Room 3 with Judge EEV		RLH
	04 03 2003	COPY OF NOTICE OF CASE SETTING, MOTION AND AFFIDAVIT TO SET		LMH
		HEARING, AND STATEMENT IN SUPPORT OF MOTION TO LEGAL.		LMH
S	04 09 2003	OTH WAR: Not Held, Wt/FTA Ordered		CAD
		Prosecuting Atty: TAYLOR, JENNIFER J Present		JDA
		Defense Atty: OWEN-EVANS, TIMOTHY REES Present		JDA
		PER JUDGE VERHEY--DEF WAS PRESENT, BUT LEFT PER DEF'S ATTY.		JDA
		HEARING STRUCK. BENCH WARRANT REMAINS.		JDA

DD7020SX IEQ
09/20/2017 2:32 PM

ABERDEEN MUNICIPAL COURT
D O C K E T

PAGE: 1

DEFENDANT
PARMLEY, KENNETH VERL JR
[REDACTED]

CASE: C00047630 ABP
Criminal Non-Traffic
Agency No.

Home Phone: [REDACTED]

AKA No aliases on file.

OFFICER
01636 ABP GREEN, DALE L

CHARGES

Violation Date: 05/17/2004

1 69.50.412

USE/DELIVER DRUG
PARAPHERNALIA

DV Plea
N Guilty

Finding
Guilty

TEXT

S 05/18/2004 Case Filed on 05/18/2004

BVG

DEF 1 PARMLEY, KENNETH VERL JR Added as Participant

OFF 1 GREEN, DALE L Added as Participant

ARR N Set for 05/18/2004 08:30 AM

in Room 1 with Judge PDC

ARR N: Held

Defendant Arraigned on Charge 1

Plea/Response of Guilty Entered on Charge 1

Finding/Judgment of Guilty for Charge 1

Case Heard Before Judge CONROY, PAUL DOUGLAS

Judge CONROY, PAUL DOUGLAS Imposed Sentence

Court Imposes Jail Time of 90 Days on Charge 1

with 88 Days Suspended, and

0 Days Credit for time served

Total Imposed on Charge 1:

475.00

with 0.00 Suspended

And 0.00 Other Amount Ordered

U DEF IC TO SERVE JAIL TIME NOW

S Accounts Receivable Created

475.00

05/19/2004 Case Scheduled on Time Pay Agreement 1 for:

1,205.00

05/24/2004 Case Scheduled on Time Pay Agreement 1 for:

1,505.00 TAB

05/27/2004 PCN added to case

BVG

05/27/2004 Charge 1: Def. complied with Jail Sentence

06/13/2004 COMPLIANT Time Pay Statement Sent for Time Pay Agreement 1

SYS

U 06/18/2004 TTP STATEMENT RETD IN MAIL

PJM

S 07/11/2004 DELINQUENT Time Pay Statement Sent for Time Pay Agreement 1

SYS

U 07/16/2004 TTP STATEMENT RETD IN MAIL

PJM

S 08/15/2004 DELINQUENT Time Pay Statement Sent for Time Pay Agreement 1

SYS

U 08/23/2004 TTP STATEMENT RETD IN MAIL

PJM

S 09/13/2004 DELINQUENT Time Pay Statement Sent for Time Pay Agreement 1

SYS

U 09/20/2004 TTP STATEMENT RETD IN MAIL

PJM

S 09/22/2004 Case Removed from Time Pay Agreement 249 30814 1

BENCH Warrant Ordered

Print on or after 09/22/2004

Warrant expires on 09/22/2008

09/23/2004 BENCH Warrant Issued for

SYS

Docket continued on next page

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09/20/2017 2:32 PM

ABERDEEN MUNICIPAL COURT
D O C K E T

PAGE: 2

DEFENDANT
PARMLEY, KENNETH VERL JR

CASE: C00047630 ABP
Criminal Non-Traffic
Agency No.

TEXT - Continued

S	09/23/2004	Fail To Pay Fine Or Appear Cash Bail Only		SYS
		Bail: 475.00 + 0.00 Warrant Fee; Total Bail	475.00	
	10/21/2004	Warrant Served		BVG
	10/22/2004	Warrant Returned OTH JAIL Set for 10/22/2004 08:30 AM in Room 1 with Judge PDC OTH JAIL: Held ATY 1 BUTLER, DAVID P. Added as Participant REV Y Set for 10/28/2004 02:30 PM in Room 1 with Judge PDC		
U	10/28/2004	DEF WAS FURLOUGHED FROM JAIL TO RETURN 10/27 3PM, DID NOT RETURN, CASES CONT ONE WEEK FOR BUTLER TO LOCATE		PJM BVG
S		REV Y Rescheduled to 11/04/2004 02:30 PM in Room 1 with Judge PDC		
	10/29/2004	Notice Issued for REV Y on 11/04/2004 02:30 PM		
	11/03/2004	Collection Delay Date of 11/06/2004 Added		PJM
	11/04/2004	REV Y: Not Held, Wt/FTA Ordered Accounts Receivable Changed to Authorized by BVG	575.00	BVG
		BENCH Warrant Ordered Print on or after 11/04/2004 Warrant expires on 11/04/2008 BENCH Warrant Issued for Fail To Appear For Hearing Fail To Pay Fine Or Appear Cash Bail Only		SYS
		Bail: 575.00 + 0.00 Warrant Fee; Total Bail	575.00	
	12/23/2004	Warrant Served		DXP
	12/27/2004	Warrant Returned REV N Set for 01/14/2005 09:00 AM in Room 1 with Judge PDC		
U	01/14/2005	REV N: Not Held, Wt/FTA Ordered		BVG
S		PER JUDGE PDC, ADD \$100 WF EACH, REISSUE Accounts Receivable Changed to Authorized by BVG with Adjustment Code: CO	675.00	
		BENCH Warrant Ordered Print on or after 01/14/2005 Warrant expires on 01/14/2009 BENCH Warrant Issued for Fail To Appear For Hearing Fail To Pay Fine Or Appear Cash Bail Only		SYS
		Bail: 675.00 + 0.00 Warrant Fee; Total Bail	675.00	
	01/19/2005	Warrant Served		DXP
	01/21/2005	Warrant Returned REV N Set for 02/11/2005 09:00 AM in Room 1 with Judge PDC		

Docket continued on next page

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ABERDEEN MUNICIPAL COURT
D O C K E T

PAGE: 3

DEFENDANT
PARMLEY, KENNETH VERL JR

CASE: C00047630 ABP
Criminal Non-Traffic
Agency No.

TEXT - Continued

S	01/27/2005	Collection Delay Date of 02/12/2005 Added		PJM
	02/11/2005	REV N: Not Held, Wt/FTA Ordered		BVG
U		DEF FTA AGAIN, ADD \$100 WF EACH REISSUE		
S		Accounts Receivable Changed to	775.00	
		Authorized by BVG with Adjustment Code: CO		
		BENCH Warrant Ordered		
		Print on or after 02/11/2005		
		Warrant expires on 02/11/2009		
		BENCH Warrant Issued for		SYS
		Fail To Appear For Hearing		
		Fail To Pay Fine Or Appear		
		Cash Bail Only		
		Bail: 775.00 + 0.00 Warrant Fee; Total Bail	775.00	
	03/03/2005	Warrant Served		BVG
		Warrant Returned		
		OTH JAIL Set for 03/03/2005 08:30 AM		
		in Room 1 with Judge PDC		
		OTH JAIL Rescheduled to 03/04/2005 08:30 AM		
		in Room 1 with Judge PDC		
		Case Obligation Selected for Collections		PJM
		Collections: 1st Notice Prepared		
	03/04/2005	OTH JAIL Rescheduled to 03/07/2005 08:30 AM		TAF
		in Room 1 with Judge PDC		
		Case Obligation Cleared from Collections		PJM
		Collection Delay Date of 03/09/2005 Added		
	03/07/2005	OTH JAIL: Held		BVG
		REV Y Set for 03/10/2005 02:30 PM		TAF
		in Room 1 with Judge PDC		
		Notice Issued for REV Y on 03/10/2005 02:30 PM		
	03/10/2005	REV Y: Held		BVG
		Case Obligation Selected for Collections		PJM
		Collections: 1st Notice Prepared		
U		DEF PAY \$725 OR STAY 29 DYS JAIL ON YO-41528, MORE TTP ON		TAF
		C47629/605, C47630/775, C47631/300, PYMTS BEGIN 5-10-05 150/M		
S	03/11/2005	Case Obligation Cleared from Collections		
		Case Scheduled on Time Pay Agreement 1 for:	1,680.00	
	03/18/2005	Case Scheduled on Time Pay Agreement 1 for:	2,080.00	
	04/24/2005	COMPLIANT Time Pay Statement Sent for Time Pay Agreement 1		SYS
U	04/28/2005	TTP STATEMENT RETD IN MAIL		PJM
S	05/23/2005	DELINQUENT Time Pay Statement Sent for Time Pay Agreement 1		SYS
U	06/14/2005	TTP STATEMENT RETD IN MAIL		PJM
S		Case Removed from Time Pay Agreement 249 30814 1		
		BENCH Warrant Ordered		
		Print on or after 06/14/2005		
		Warrant expires on 06/14/2009		
		BENCH Warrant Issued for		SYS
		Fail To Pay Fine Or Appear		
		Cash Bail Only		
		Bail: 775.00 + 0.00 Warrant Fee; Total Bail	775.00	

Docket continued on next page

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09/20/2017 2:32 PM

ABERDEEN MUNICIPAL COURT
D O C K E T

PAGE: 4

DEFENDANT
PARMLEY, KENNETH VERL JR

CASE: C00047630 ABP
Criminal Non-Traffic
Agency No.

TEXT - Continued

S 06/22/2006 Warrant Served
Warrant Returned
OTH JAIL Set for 06/22/2006 08:30 AM
in Room 1 with Judge PDC
OTH JAIL: Held
U PER JUDGE PDC, DEF TO PAY \$605 OR SERVE 12 DAYS C47629,
IF PD NEED NOT APPEAR, DEF TO SERVE 5 DAYS NON-COMPLIANCE
EACH, MORE TTP, C47631, C48556, REPORT TO JAIL 07/26/06
3 PM, MORE TTP C47630
S Case Scheduled on Time Pay Agreement 1 for: 1,475.00
09/05/2006 COMPLIANT Time Pay Statement Sent for Time Pay Agreement 1 SYS
10/01/2006 DELINQUENT Time Pay Statement Sent for Time Pay Agreement 1
10/23/2006 Case Removed from Time Pay Agreement 249 30814 1 PJM
BENCH Warrant Ordered
Print on or after 10/23/2006
Warrant expires on 10/23/2010
BENCH Warrant Issued for
Fail To Pay Fine Or Appear SYS
Cash Bail Only
Bail: 775.00 + 0.00 Warrant Fee; Total Bail 775.00
11/27/2006 6331100274 Fine Payment Paid in Full 775.00 DXP
Warrant Quashed AJH
07/02/2008 Warrant Returned DXP
Case Disposition of CL Entered

ACCOUNTING SUMMARY

	Total Due	Paid	Credit	Balance
Timepay: N	775.00	775.00		

COLLECTION STATUS

Status Date	Status Description	Cln Amt
03/11/2005	Cleared/Removed by User	775.00

ADDITIONAL CASE DATA

Case Disposition
Disposition: Closed
Date: 07/02/2008

Parties

Attorney BUTLER, DAVID P.

Personal Description

Sex: [REDACTED] Race: [REDACTED] DOB: [REDACTED]
Dr.Lic.No.: [REDACTED] State: [REDACTED] Expires: [REDACTED]
Employer:
Height: 5 11 Weight: 175 Eyes: BRO Hair: BRO
Identifying Information: TAT R SHLD CELTIC CROSS/TAT BACK
CROSS OLYMPIA PORTRAIT OF HIS
MOTHER

Hearing Summary

Held ARRAIGNMENT ON 05/18/2004 AT 08:30 AM IN ROOM 1 WITH PDC

Docket continued on next page

Cox Appendix 020

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09/20/2017 2:32 PM

ABERDEEN MUNICIPAL COURT
D O C K E T

PAGE: 5

DEFENDANT
PARMLEY, KENNETH VERL JR

CASE: C00047630 ABP
Criminal Non-Traffic
Agency No.

ADDITIONAL CASE DATA - Continued

Hearing Summary

Held	IN CUSTODY	ON 10/22/2004 AT 08:30 AM IN ROOM 1	WITH PDC
Held	IN CUSTODY	ON 03/07/2005 AT 08:30 AM IN ROOM 1	WITH PDC
Held	REVIEW HEARING	ON 03/10/2005 AT 02:30 PM IN ROOM 1	WITH PDC
Held	IN CUSTODY	ON 06/22/2006 AT 08:30 AM IN ROOM 1	WITH PDC

End of docket report for this case .

 *** TX REPORT ***

TRANSMISSION OK

TX/RX NO	0365	
CONNECTION TEL		92050535
SUBADDRESS		
CONNECTION ID	KC DAJD CCD	
ST. TIME	04/15 13:29	
USAGE T	01'42	
PGS. SENT	1	
RESULT	OK	

KING COUNTY DISTRICT COURT
West Division, Seattle Courthouse

STATE OF WASHINGTON

CITY OF _____

Vs

CASE NO. 933D0182B

PCN _____

CCN _____

BA _____

Pearley, Kenneth Vere
 DOB 12/5/60

COMMITMENT TO JAIL, WORK RELEASE,
 EHD BASIC, EHD ENHANCED, COMMUNITY
 CENTER FOR ALTERNATIVE PROGRAMS
 (CCAP), OR COMMUNITY WORK CREW

Charge No.

1. att VUCSA

2. _____

Attention: King County/_____ Jail, Grietings:

IT IS ORDERED THAT the defendant shall be committed to the King County Jail for a total of
 _____ days as follows:

☐ Serve _____ days in jail with credit for time served ☐ concurrent ☐ consecutive with other
 commitments

☐ Jail Report on or Before: _____ ☐ Serve DUI _____ day(s) at RJC on _____

☐ Serve _____ days mandatory Electronic Home Monitoring/Detention, after serving any jail
 commitment.

☒ IS ORDERED THAT the defendant serve 4 days in alternative program(s) as follows:

☐ Ordered to Work Release. ☐ Report on or before: _____

☐ Ordered to Electronic Home Detention, Basic. ☐ Report on or before: _____

☐ Ordered to EHD, Enhanced. ☐ Report on or before: _____

☒ Ordered to Community Work Program for 4 days and follow schedule set by Community
 Work Program Administration

☒ Attend orientation on 3/29/04 at 9am E326
 (date) (time) (courthouse)

☐ Ordered to report to the Community Center for Alternative Programs (CCAP) for the period listed below.
 The CCAP is located on the 1st floor of the Yesler Building, 400 Yesler Way, Seattle, 206-205-6600. **You**
must enter the Yesler Building on Terrace Avenue.

☐ _____ days of CCAP program activity, to be scheduled by Day Reporting Staff

☐ CCAP Report Date: _____ at 9:00 a.m.

☐ You will remain under all other terms of your current probation

☒ Other Bond exonerated

KING COUNTY DISTRICT COURT
West Division, Seattle Courthouse

STATE OF WASHINGTON
CITY OF _____
Vs

CASE NO. 93SD0182B
PCN _____
CCN _____
BA _____

Parmley, Kenneth Vee
DOB 12/5/60

COMMITMENT TO JAIL, WORK RELEASE,
EHD BASIC, EHD ENHANCED, COMMUNITY
CENTER FOR ALTERNATIVE PROGRAMS
(CCAP), OR COMMUNITY WORK CREW

Charge No.

1. act VUOSA 2. _____

Attention: King County/ _____ Jail, Greetings:

IT IS ORDERED THAT the defendant shall be committed to the King County Jail for a total of _____ days as follows:

☐ Serve _____ days in jail with credit for time served ☐ concurrent ☐ consecutive with other commitments
☐ Jail Report on or Before: _____ ☐ Serve DUI _____ day(s) at RJC on _____

☐ Serve _____ days mandatory Electronic Home Monitoring/Detention, after serving any jail commitment.

☒ IS ORDERED THAT the defendant serve 4 days in alternative program(s) as follows:

☐ Ordered to Work Release. ☐ Report on or before: _____

☐ Ordered to Electronic Home Detention, Basic. ☐ Report on or before: _____

☐ Ordered to EHD, Enhanced. ☐ Report on or before: _____

☒ Ordered to Community Work Program for 4 days and follow schedule set by Community Work Program Administration
☒ Attend orientation on 3/29/04 at 9am E326
(date) (time) (courthouse)

☐ Ordered to report to the Community Center for Alternative Programs (CCAP) for the period listed below. The CCAP is located on the 1st floor of the Yesler Building, 400 Yesler Way, Seattle, 206-205-6600. You must enter the Yesler Building on Terrace Avenue.

☐ _____ days of CCAP program activity, to be scheduled by Day Reporting Staff

☐ CCAP Report Date: _____ at 9:00 a.m.

☐ You will remain under all other terms of your current probation

☒ Other Bond exonerated

DONE IN OPEN COURT this 24 day of March, 2004

[Signature]
Defendant Signature

12/05/60
Date of Birth

Address

City, State, Zip

Phone Number

KCDC #9/02/03

[Signature]
Judge

Prosecuting Attorney Bar #

Defense Attorney Bar #

Fax Order to:

Work Release, EHD:

CCAP:

Community Work Program:

296-1797

205-6600

205-0535

SUPERFORM

CCN/JCN NUMBER

B/A NUMBER

PCN NUMBER

AGENCY: ☐ UNINCORPORATED KING COUNTY

☒ CITY OF 'FEDERAL WAY

02-11624

CASE NUMBER

FILE NUMBER

DATE OF ARREST/TIME 08-23-02/0930		BOOKING DATE/TIME 08-23-02/1130		ARREST LOCATION 36801 Milton Road S	
NAME (LAST, FIRST, MIDDLE/JR., SR., 1 st , 2 nd) PARMLEY, KENNETH VERL JR.				ALIASES, NICKNAMES	
IDENTITY IN DOUBT? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	DOB 12-05-60	SEX M	RACE W	HGT 5'11	WGT 170
		EYES BRN	HAIR BRN	SKIN TONE LIGHT	
SCARS, MARKS, TATTOOS, DEFORMITIES TATTOOS RIGHT SHOULDER				ARMED/DANGEROUS YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	
LAST KNOWN ADDRESS 714 STEWART BLVD ARBEDEEN, WA 98520		CITY ARBEDEEN	STATE WA	ZIP 98520	RESIDENCE PHONE 360-533-1775
OCCUPATION SELF EMPLOYED		EMPLOYER, SCHOOL (ADDRESS, SHOP/UNION NUMBER)		BUSINESS PHONE NONE	
DRIVER'S LICENSE # PARMLKV409RE		STATE WA	AFIS #	FBI #	CITIZENSHIP US
VEHICLE LICENSE #		STATE	YEAR	MAKE	MODEL
		VEHICLE LOCATION	TOW COMPANY		
PERSON TO BE CONTACTED IN CASE OF EMERGENCY JERRY PARMLEY		RELATIONSHIP DAD	ADDRESS BEAVER FALLS RD		CITY ARBERDEEN
			STATE WA	PHONE 503-7282594	
1) OFFENSE <input type="checkbox"/> DV <u>VACSA</u>		RCW/ORD# <u>69.50.401</u>	COURT/CAU# <u>KING CO</u>	CITATION #	
2) OFFENSE <input type="checkbox"/> DV		RCW/ORD#	COURT/CAU#	CITATION #	
3) OFFENSE <input type="checkbox"/> DV		RCW/ORD#	COURT/CAU#	CITATION #	
4) OFFENSE <input type="checkbox"/> DV		RCW/ORD#	COURT/CAU#	CITATION #	
ANY OTHER ADDITIONAL CHARGES		CRIMINAL TRAFFIC CITATION ATTACHED? YES <input type="checkbox"/> NO <input type="checkbox"/>		ACCOMPLICES	
LIST VALUABLE ITEMS OR PROPERTY LEFT FOR ARRESTEE AT JAIL					
LIST VALUABLE ITEMS OR PROPERTY ENTERED INTO EVIDENCE YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> IF YES DESCRIBE: (SIMPLE DESCRIPTION, IDENTIFYING MARKS, SERIAL #)					
TOTAL CASH OF ARRESTEE \$ 24.33		WAS CASH TAKEN INTO EVIDENCE? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> AMOUNT: \$		SIGNATURE OF JAIL STAFF RECEIVING ITEMS/SERIAL #	
ARRESTING OFFICER/SERIAL # VOLLMER/9375		TRANSPORTING OFFICER/SERIAL #		SUPERVISOR SIGNATURE/SERIAL #	
SUPERFORM COMPLETED BY (SIGNATURE/SERIAL #)		CONTACT PERSON FOR ADDITIONAL INFORMATION (NAME/SERIAL #/PHONE)			

MISDEMEANOR BOOKINGS: Complete to this line. FELONY BOOKINGS: Complete both sides.
OBJECTION TO RELEASE (MISDEMEANOR OR FELONY) IS ON REVERSE SIDE.

COURT FILE WARRANT INFO. / EXTRADITE	SUPERIOR COURT <input type="checkbox"/>	IN CUSTODY	COURT CAUSE (STAMP OR WRITE) <u>43508182 (B)</u>		
	FILING INFO. <input type="checkbox"/>	AT LARGE			
	<input type="checkbox"/>	OUT ON BOND			
	COURT/DIST. CT.NO.	DIST. CT. BOND \$	SUP. CT. DATE	WARRANT NUMBER	
WARRANT DATE		OFF CODE OFFENSE	AMOUNT OF BAIL \$	FELONY <input type="checkbox"/>	BENCH <input type="checkbox"/>
POLICE AGENCY ISSUING		COURT	WARRANT RELEASED TO: SERIAL	UNIT	DATE TIME
PERSON APPROVING EXTRADITION		SEAKING-LOCAL ONLY WACIC-STATE WIDE <input type="checkbox"/>	NCIC-WILL EXTRADITE FROM ID & OR ONLY <input type="checkbox"/>	NCIC-WILL EXTRADITE FROM OR, ID, MT, WY, CA, NV, UT, CO, AZ, NM, HI, AK <input type="checkbox"/>	NCIC-WILL EXTRADITE FROM ALL 50 STATES <input type="checkbox"/>
CCN# <u>1787749</u>	DOE	TOE	OP#	DOC	TOC
WAC#					
NIC#					

KING COUNTY DISTRICT COURT
STATE OF WASHINGTON
DIVISION

West

SDC

STATE OF WASHINGTON,
COUNTY OF KING,
CITY OF

NO. Y3SD00182B

Plaintiff

STATEMENT OF DEFENDANT ON
PLEA OF GUILTY

Kenneth vs. V. Pannley
Defendant.

1. My true name is Kenneth V. Pannley
2. My age is 43
3. I went through the 12 grade.

4. I HAVE BEEN INFORMED AND FULLY UNDERSTAND THAT:

(a) I have the right to representation by a lawyer and that if I cannot afford to pay for a lawyer, one will be provided at no expense to me.

(b) I am charged with:

Attempt VUCSA

The elements are: attempt to or took substantial steps
possess a controlled substance. - Heroin

5. I UNDERSTAND THAT I HAVE THE FOLLOWING IMPORTANT RIGHTS, AND I GIVE THEM ALL UP BY
PLEADING GUILTY:

(a) The right to a speedy and public trial by an impartial jury in the county where the crime is alleged to have been committed;

6.

- (b) The right to remain silent before and during trial, and the right to refuse to testify against myself;
- (c) The right at trial to hear and question the witnesses who testify against me;
- (d) The right at trial to testify and to have witnesses testify for me. These witnesses can be made to appear at no expense to me;
- (e) I am presumed innocent unless the charge is proven beyond a reasonable doubt or I enter a plea of guilty;
- (f) The right to appeal a finding of guilt after a trial.

IN CONSIDERING THE CONSEQUENCES OF MY GUILTY PLEA, I UNDERSTAND THAT:

(a) The crime with which I am charged carries a maximum sentence of 365 days in jail and a \$ 5000 fine.

(b) The prosecuting authority will make the following recommendation to the judge:

5 days in jail court costs \$100 fine \$100 to local Drug Fund

- (c) The judge does not have to follow anyone's recommendation as to sentence. The judge can give me any sentence up to the maximum authorized by law no matter what the prosecuting authority or anyone else recommends;
- (d) The judge may place me on probation for up to five years if I am sentenced under RCW 46.61.5055 or up to two years for all other offenses and impose conditions of probation.
- (e) The judge may require me to pay costs, fees and assessments authorized by law. The judge may also order me to make restitution to any victims who lost money or property as a result of crimes I committed. The maximum amount of restitution is double the amount of the loss of all victims or double the amount of my gain.
- (f) If I am not a citizen of the United States, a plea of guilty to an offense punishable as a crime under state law is grounds for deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States.

NOTIFICATION RELATING TO SPECIFIC CRIMES: IF ANY OF THE FOLLOWING PARAGRAPHS APPLY, THE BOX SHOULD BE CHECKED AND THE PARAGRAPH INITIALED BY THE DEFENDANT.

- ☐ (g) The crime of _____ has a mandatory minimum sentence of _____ The law does not allow any reduction of this sentence.
- ☐ (h) If this crime involves a sexual offense, prostitution, or a drug offense associated with hypodermic needles, I will be required to undergo testing for the human immunodeficiency (AIDS) virus.
- ☐ (i) This plea of guilty will result in suspension or revocation of my driver's license by the Department of Licensing. If I have a driver's license, I must now surrender it to the judge.
- ☐ (j) I understand that I may not possess, own, or have under my control any firearm unless my right to do so is restored by a court of record and that I must immediately surrender any concealed pistol license. RCW 9A.1040.
- ☐ (k) I understand that if this crime involves a sex offense, a kidnapping offense involving a minor, communicating with a minor, or one of the other offenses listed RCW 9A.44, I will be required to register with the county sheriff as described in Attachment "B".

7. I plead guilty to the crime of Attempt as charged in the complaint or citation and notice. I have received a copy of that complaint or citation and notice.

8. I make this plea freely and voluntarily.

9. No one has threatened harm of any kind to me or to any other person to cause me to make this plea.

10. No person has made promises of any kind to cause me to enter this plea except as set forth in this statement.

11. The judge has asked me to state in my own words what I did that makes me guilty of this crime. This is my statement:

On or about 8/23/2006 in King Co. WA
I did attempt to or took substantial steps to
possess a controlled substance - Heroin

[] Instead of making a statement, I agree that the court may review the police reports and/or a statement of probable cause supplied by the prosecution to establish a factual basis for the plea.

12. My lawyer has explained to me, and we have fully discussed, all of the above paragraphs. I understand them all. I have been given a copy of this "Statement of Defendant on Plea of Guilty" I have no further questions to ask the judge.

Date: 3/24/2004

Defendant

I have read and discussed this statement with the defendant and believe that the defendant is competent and fully understands the statement.

Prosecuting Authority and Bar #

Print Name

Defendant's Lawyer and Bar #

Print name

The foregoing statement was signed by the defendant in open court in the presence of the defendant's lawyer and the undersigned judge. The defendant asserted that (check the appropriate box):

- ☒ (a) The defendant had previously read; or
☒ (b) The defendant's lawyer had previously read to him or her; or
☐ (c) An interpreter had previously read to the defendant the entire statement above and that the defendant understood it in full.

I find the defendant's plea of guilty to be knowingly, intelligently and voluntarily made. Defendant understands the charges and the consequences of the plea. There is a factual basis for the plea. The defendant is guilty as charged.

Dated:

Judge

INTERPRETER'S DECLARATION

I am a certified interpreter or have been found otherwise qualified by the court to interpret in the _____ language, which the defendant understands, and I have translated _____ for the defendant from

[Identify document being translated]

English into that language. The defendant has acknowledged his or her understanding of both the translation and the subject matter of this document. I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Dated:

Interpreter

City and State

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King County District Court
Seattle Division

THE STATE OF WASHINGTON,)
)
Plaintiff,) No. Y3SD0182
)
v.) AMENDED COMPLAINT
)
KENNETH VERL PARMLEY, JR.)
Defendant.)

COUNT II

I, Norm Maleng, Prosecuting Attorney for King County in the name and by the authority of the State of Washington, do accuse KENNETH VERL PARMLEY, JR. of the crime of Attempted Violation of the Uniform Controlled Substances Act, committed as follows:

That the defendant KENNETH VERL PARMLEY, JR. in King County, Washington on or about August 23, 2002, unlawfully and feloniously did attempt to possess Heroin, a controlled substance and narcotic drug; attempt as used in the above charge means that the defendant committed an act which was a substantial step towards the commission of the above described crime with the intent to commit that crime;

Contrary to RCW 9A.28.020 and 69.50.401(d), and against the peace and dignity of the State of Washington.

NORM MALENG
Prosecuting Attorney
By: *Craig A. Peterson* #34574 Ad
Craig A. Peterson, WSBA #15935
Senior Deputy Prosecuting Attorney

The above-signed Senior Deputy Prosecuting Attorney does certify, under penalty of perjury, that he or she has reasonable grounds to believe, and does believe, that the defendant committed the offense, contrary to law.

Norm Maleng
Prosecuting Attorney
W 554 King County Courthouse
Seattle, Washington 98104-2312
(206) 296-9000

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King County District Court
Seattle Division

THE STATE OF WASHINGTON,)
)
Plaintiff,) No. Y3SD0182 SEA(b)
)
v.)
LAURIE J. AUDETTE, and) COMPLAINT
KENNETH VERL PARMLEY, JR.)
and each of them,)
)
Defendants.)

COUNT I

I, Norm Maleng, Prosecuting Attorney for King County in the name and by the authority of the State of Washington, do accuse LAURIE J. AUDETTE of the crime of Violation of the Uniform Controlled Substances Act, committed as follows:

That the defendant LAURIE J. AUDETTE in King County, Washington on or about August 23, 2002, unlawfully and feloniously did possess Heroin, a controlled substance and narcotic drug;

Contrary to RCW 69.50.401(d), and against the peace and dignity of the State of Washington.

COUNT II

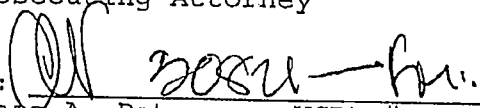
And I, Norm Maleng, Prosecuting Attorney aforesaid further do accuse KENNETH VERL PARMLEY, JR. of the crime of Violation of the Uniform Controlled Substances Act, based on a series of acts connected together with another crime charged herein, committed as follows:

That the defendant KENNETH VERL PARMLEY, JR. in King County, Washington on or about August 23, 2002, unlawfully and feloniously did possess Heroin, a controlled substance and narcotic drug;

Norm Maleng
Prosecuting Attorney
W 554 King County Courthouse
Seattle, Washington 98104-2312
(206) 296-9000

1 Contrary to RCW 69.50.401(d), and against the peace and
2 dignity of the State of Washington.

3 NORM MALENG
4 Prosecuting Attorney

5 By: 
6 Craig A. Peterson, WSBA #15935
Senior Deputy Prosecuting Attorney

7 The above-signed Senior Deputy Prosecuting Attorney does certify,
8 under penalty of perjury, that he or she has reasonable grounds to
9 believe, and does believe, that the defendant committed the
10 offense, contrary to law.
11
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COMPLAINT- 2

Norm Maleng
Prosecuting Attorney
W 554 King County Courthouse
Seattle, Washington 98104-2312
(206) 296-9000

435104182/131

CERTIFICATION FOR DETERMINATION OF PROBABLE CAUSE:

That Detective D.L. White is a Detective with the Federal Way Police Department and has reviewed the investigation conducted in Federal Way Police Department Case #02-11624

There is probable cause to believe that Laurie J. Audette and Kenneth V. Parmley committed the crime(s) of

VUCSA POSSESSION OF HEROIN

VUCSA POSSESSION OF DRUG PARAPHERNALIA

This belief is predicated on the following facts and circumstances:

On 08-23-2002 at about 0820 hours, Officers were dispatched to the I5 rest area located at 36801 Milton RD. S, in Federal Way, King County, Washington. This was reference to the report of two subjects injecting HEROIN through syringes into the back of their arms. The caller wanted to remain anonymous however later he identified himself to Officers at the scene as David Perez. Perez explained to the dispatcher the color of the peoples clothing, Their physical description, license plate number 033MMX and description of the vehicle they were in at the time they were injecting the HEROIN.

Officers Connolly and Vollmer arrived on scene at about 0833 hours. They located the described red colored vehicle bearing Washington plates 033MMX parked on the East side of the rest stop.

Connolly saw a white male subject standing next to the red Thunderbird, later identified as Kenneth Parmley, Parmley matched the description Perez had given to dispatch. Connolly also noticed the windows of the vehicle were covered with clothing. Officers Connolly and Vollmer drove around the rest area and parked in the upper area of the rest stop. The two Officers walked to the coffee stand where they were approached by David Perez. Perez pointed out one of the subjects he had called dispatch about and it was the same person Officer Connolly saw standing next to the red Thunderbird. Perez also told Connolly there was a female subject inside the car. Perez then walked away telling Officers he did not want to be identified as the reporting person. Officer Vollmer ran the plate 033MMX through dispatch and found the registered owners name was Laurie Audette. Vollmer then found that Audette had an active warrant for her arrest. Vollmer also noted that the physical description on the warrant matched the description Perez had originally given to dispatch. While Vollmer was explaining his finding to Connolly, Connolly saw a female subject exit the red Thunderbird from the passenger side. The female walked in the direction of the bathrooms. Connolly asked her to stop and she complied. The female identified herself as Laurie J. Audette. Connolly told Audette she was being detained for her active warrant. Connolly performed a light pat down of Audette's person with the back of his hand and found no weapons. Vollmer who was standing near by heard the sound of plastic or paper crumbling during Connolly's pat down search. Vollmer read to Audette her Miranda warning and she agreed to talk to the Officers. Connolly noticed throughout their conversation Audette adjusted her left shoulder several times. Not long after the pat down, female Officer S. Holland arrived on scene. Vollmer requested that Holland perform a more through search of Audette's person because she claimed she had a bag of heroin under her arm. Once Holland completed her search of Audette she found a bag containing 1.3 grams of what was later field-tested positive for heroin under Audette's left arm. Audette told Connolly he could search her vehicle and she signed a "consent to search form." While Officers were waiting for the WSP

K-9 to arrive, Vollmer was approached by Perez. Perez told Vollmer he had been approached by Parmley and asked to remove a green tin from the vehicle and "get rid of it." Perez did not remove the tin, instead informed the Officers of his conversation with Parmley.

WSP Trooper Cooper arrived on scene at about 0950 hours. Connolly explained to Cooper the situation and Cooper proceeded to search the red Thunderbird with his K-9 "Yogie." Once the search was complete Cooper informed Officers Connolly and Vollmer he had found a green tin candy box that contained several syringes, a layer of paper napkins, the top layer was candy. Cooper also found some identification cards with Kenneth V. Parmley Jr. and Laurie J. Audette's name and dates of birth on them. Officer Blalock ran Parmleys name through dispatch and found numerous arrest warrants. Blalock and Vollmer located Parmley and placed him under arrest.

Both subjects were transported to the Federal Way police station. Where they were later released because of the open wounds on their arms.

Under penalty of perjury under the laws of the State of Washington, I certify that the foregoing is true and correct. Signed and dated by me this Tuesday, November 05, 2002 at Federal Way, King County, Washington.



Detective D. L. White
Special Investigations Unit
Federal Way Police Department

13:07:19 Tuesday, September 19, 2017

D0030I Beginning of Docket

DD1000PI

DD1000MI Case Docket Inquiry (CDK)

KCDC-WEST DIV (SDC)

09/19/17 13:07:16

HRP

Case: Y3SD0182B KPA CN Csh:

Pty:

StID:

Name:

NmCd:

Name: PARMLEY, KENNETH VERL JR

Cln

Sts:

ATTEMPTED VUCSA

Note:

Case: Y3SD0182B KPA CN Criminal Non-Traffic Closed

Print: N (Y/N)

S 02 19 2003 Case Filed on 02/19/2003

ICI

S DEF 1 PARMLEY, KENNETH VERL JR Added as Participant

ICI

S ARR Set for 03/04/2003 09:01 AM

ICI

S in Room 326 with Judge BLL

ICI

13:07:23 Tuesday, September 19, 2017

D0071I More records available.

DD1000PI

09/19/17 13:07:20

DD1000MI Case Docket Inquiry (CDK)

KCDC-WEST DIV (SDC)

HRP

Case: Y3SD0182B KPA CN Csh:

Pty:

StID:

Name:

NmCd:

Name: PARMLEY, KENNETH VERL JR
ATTEMPTED VUCSA

Cln Sts:

Note:

Case: Y3SD0182B KPA CN Criminal Non-Traffic Closed

Print: N (Y/N)

03 04 2003	A CRIME HAS BEEN COMMITTED AND DIRECTS THAT A WARRANT	RXC
	BE ISSUED	RXC
S 03 19 2003	BENCH Warrant Ordered	RXC
S	Print on or after 03/19/2003	RXC
S	Warrant expires on 12/31/2099	RXC
S 03 31 2003	BENCH Warrant Issued for	SYS
S	Fail To Appear For Hearing	SYS
S	Probable Cause	SYS
S	Bail: 1,000.00 + 75.00 Warrant Fee; Total Bail 1,075.00	SYS
04 07 2003	NOTICE OF APPEARANCE, REQUEST FOR DISCOVERY, PETITION FOR	MMJ
	DEFERRED PROSECUTION, DEMAND FOR SPEEDY TRIAL, DEMAND FOR	MMJ
	JURY TRIAL, MOTION TO MAKE MORE DEFINITE AND CERTAIN MOTION	MMJ
	FOR JOINDER OF OFFENSES FILED BY ATTY ANNA BRUSANOWSKI	MMJ
S 04 22 2003	ATY 1 BRUSANOWSKI, ANNA MAGDA Added as Participant	MMJ

13:07:26 Tuesday, September 19, 2017

D0071I More records available.

DD1000PI

09/19/17 13:07:23

DD1000MI Case Docket Inquiry (CDK)

KCDC-WEST DIV (SDC)

HRP

Case: Y3SD0182B KPA CN Csh:

Pty:

StID:

Name:

NmCd:

Name: PARMLEY, KENNETH VERL JR

Cln Sts:

ATTEMPTED VUCSA

Note:

Case: Y3SD0182B KPA CN Criminal Non-Traffic Closed

Print: N (Y/N)

04 29 2003 NOTICE OF WITHDRAWAL FILED BY ACA

MMJ

S DEF 1 PARMLEY, KENNETH VERL JR Represented by:

MMJ

S ATY 1 BRUSANOWSKI, ANNA MAGDA

MMJ

S ATY 1 BRUSANOWSKI, ANNA MAGDA Wthdrw as Atty for:

MMJ

S DEF 1 PARMLEY, KENNETH VERL JR

MMJ

S 07 17 2003 ATY 1 BRUSANOWSKI, ANNA MAGDA Deleted

DLW

S 01 27 2004 Warrant Recalled

ICI

WARRANT RECALL FAXED TO KC DATA

ICI

S BON 1 A AFFORDABLE BAIL BONDS Added as Participant

ICI

S 04027100205 Appearance Bond Posted for DEF 1

1,075.00 ICI

S Posted by: A AFFORDABLE BAIL BONDS

ICI

S ARR Set for 02/10/2004 09:01 AM

ICI

S in Room 440 with Judge MCS

ICI

S 01 29 2004 Warrant Returned

ICI

13:07:28 Tuesday, September 19, 2017

D0071I More records available.

DD1000PI

DD1000MI Case Docket Inquiry (CDK)

KCDC-WEST DIV (SDC)

09/19/17 13:07:26

Case: Y3SD0182B KPA CN Csh:

Pty:

HRP

StID:

Name:

NmCd:

Name: PARMLEY, KENNETH VERL JR

Cln Sts:

ATTEMPTED VUCSA

Note:

Case: Y3SD0182B KPA CN Criminal Non-Traffic Closed

Print: N (Y/N)

S	01	30	2004	Notice Issued for ARR on 02/10/2004 09:01 AM	AMR
				MAILED NOTICE TO BAIL BOND COMPANY	AMR
S	02	10	2004	ARR: Held	IEI
S				Proceedings Recorded on Tape No. 5-021004	IEI
				JUDGE MARIANE SPEARMAN PRESIDING CC: IEI	IEI
				DPA: THOMAS BREEN	IEI
				DEF PRESENT PRO SE	IEI
				COPY OF COMPLAINT GIVEN AND OPD INFORMATION GIVEN TO DEF	IEI
				HEARD @9:44	IEI
				PER JUDGE SPEARMAN- ONLY ONE COUNT OF VIOLATION OF UNIFORM	IEI
				CONTROL SUBSTANCE ACT	IEI
S				Charge 69.50.401 Deleted due to Clerical Error	IEI
S				Defendant Arraigned on Charge 2	IEI
S				Plea/Response of Not Guilty Entered on Charge 2	IEI

13:07:31 Tuesday, September 19, 2017

D0071I More records available.

DD1000PI

DD1000MI Case Docket Inquiry (CDK)

KCDC-WEST DIV (SDC)

09/19/17 13:07:28

Case: Y3SD0182B KPA CN Csh:

Pty: _____

HRP

StID: _____

Name: _____

NmCd: _____

Name: PARMLEY, KENNETH VERL JR

Cln Sts: _____

ATTEMPTED VUCSA

Note:

Case: Y3SD0182B KPA CN Criminal Non-Traffic Closed

Print: N (Y/N)

02 10 2004	HEARING NOTICE GIVEN TO DEF	IEM
S	PTR Set for 03/15/2004 01:30 PM	IEM
S	in Room 955 with Judge BLL	IEM
S 02 11 2004	PTR on 03/15/2004 01:30 PM	IEM
S	in Room 955 with Judge BLL Canceled	IEM
S	PTR Set for 03/17/2004 09:00 AM	IEM
S	in Room 955 with Judge BLL	IEM
S 02 17 2004	Notice Issued for PTR on 03/17/2004 09:00 AM	AMR
02 23 2004	FILED: NOTICE RETURNED BY PO - MOVED, LEFT NO ADDRESS	MMJ
03 16 2004	CLERK NOTIFIED BY ATTY ALMEREZ THAT CLIENT WASN'T AWARE OF	PGC
	DATE CHANGE AND CANNOT BE PRESENT FOR CURRENT DATE SCHEDULED	PGC
	ATTY INDICATES DEF MAY BE ABLE TO ATTEND HEARING SCHEDULED	PGC
	FOR 3/18/04 @ 9	PGC
	CLERK NOTIFIES ATTY THAT THIS IS VERY SHORT NOTICE TO THE	PGC

13:07:33 Tuesday, September 19, 2017

D0071I More records available.

DD1000PI

09/19/17 13:07:31

DD1000MI Case Docket Inquiry (CDK)

KCDC-WEST DIV (SDC)

HRP

Case: Y3SD0182B KPA CN Csh:

Pty:

StID:

Name:

NmCd:

Name: PARMLEY, KENNETH VERL JR

Clm Sts:

ATTEMPTED VUCSA

Note:

Case: Y3SD0182B KPA CN Criminal Non-Traffic Closed

Print: N (Y/N)

03 16 2004 COURT, AND NOTICE WAS MAILED ON 2/17 FOR THE CHANGE TO 3/17 PGC
S 03 17 2004 PTR: Not Held, Defendant Contd PGC
S Proceedings Recorded on Tape No. 3-031704 PGC
PRESIDING: JUDGE MARIANE SPEARMAN IN E312 PGC
DPA TOM BREEN FOR STATE PGC
DEF FAILS TO APPEAR-ATTY ART ALMEREZ PRESENT PGC
FTA ENTERED-ATTY TO NOTIFY CLIENT OF NEXT DATE PGC
PTR EXP Set for 03/24/2004 09:01 AM PGC
S in Room 326 with Judge BLL PGC
S 03 24 2004 PTR EXP: Held PGC
S Proceedings Recorded on Tape No. 3-032404 PGC
PRESIDING: JUDGE BARBARA L LINDE PGC
DPA TOM BREEN FOR STATE PGC
DEF PRESENT WITH ATTY ART ALMEREZ @11:26 IEM

13:07:35 Tuesday, September 19, 2017

D0071I More records available.

DD1000PI

09/19/17 13:07:33

DD1000MI Case Docket Inquiry (CDK)

KCDC-WEST DIV (SDC)

HRP

Case: Y3SD0182B KPA CN Csh:

Pty:

StID:

Name:

NmCd:

Name: PARMLEY, KENNETH VERL JR

Clk Sts:

ATTEMPTED VUCSA

Note:

Case: Y3SD0182B KPA CN Criminal Non-Traffic Closed

Print: N (Y/N)

03 24 2004 STATES FILES AMENDED COMPLAINT

STATE MOVES TO AMEND CHARGE TO ATTEMPTED VUCSA - GRANTED

STATEMENT ON DEF ON PLEA OF GUILTY SIGNED BY JUDGE, STATE,

DEF ATTY AND DEF.

COURT ORDERS DEF TO DO 4 DAYS OF WORK CREW AND COURT ORDERS

DEF TO REPORT FOR ORIENTATION ON 3/29/04 AT 9 AM IN E326.

COMMITMENT TO WORK CREW SIGNED BY JUDGE, DEF AND DEF ATTY.

COURT ORDERS BAIL/BOND EXONERATED.

COPY OF STATEMENT ON DEF ON PLEA OF GUILTY AND COMMITMENT TO

WORK CREW GIVEN TO DEF.

Charge 2 Amended to: ATTEMPTED VUCSA

Finding/Judgment of Guilty for Charge 3

Case Heard Before Judge LINDE, BARBARA

Judge LINDE, BARBARA Imposed Sentence

IEM

IEM

IEM

IEM

IEM

IEM

IEM

IEM

IEM

IEM

IEM

IEM

IEM

IEM

IEM

13:07:38 Tuesday, September 19, 2017

D0071I More records available.

DD1000PI

09/19/17 13:07:36

DD1000MI Case Docket Inquiry (CDK)

KCDC-WEST DIV (SDC)

HRP

Case: Y3SD0182B KPA CN Csh:

Pty:

StID:

Name:

NmCd:

Name: PARMLEY, KENNETH VERL JR

Clm Sts:

ATTEMPTED VUCSA

Note:

Case: Y3SD0182B KPA CN Criminal Non-Traffic Closed

Print: N (Y/N)

S 03 24 2004 Work Crew : 4 D

IEM

S 04 15 2004 Case Type Changed from Criminal Felony

IEM

S to Criminal Non-Traffic

IEM

S Appearance Bond WIK 144845 Exonerated

1,075.00

IEM

COMMITMENT TO WORK CREW FAXED TO WORK CREW.

IEM

04 20 2004 CWP REPORT FILED: DEF FTA'D 3/29 & 4/5 ORIENTATIONS AS

PGC

DIRECTED BY COURT

PGC

S REV NOTIF Set for 05/14/2004 01:30 PM

PGC

S in Room 326 with Judge BLL

PGC

S 04 21 2004 Notice Issued for REV NOTIF on 05/14/2004 01:30 PM

AMR

S 05 14 2004 REV NOTIF: Not Held, Wt/FTA Ordered

PGC

PRESIDING: JUDGE BARBARA L LINDE

PGC

DEF FTA'S-B/W \$1,000 TO ISSUE

PGC

05 17 2004 DEF HAS NO CURRENT KCCF

PGC

13:07:41 Tuesday, September 19, 2017

D0071I More records available.

DD1000PI

DD1000MI Case Docket Inquiry (CDK)

KCDC-WEST DIV (SDC)

09/19/17 13:07:39

Case: Y3SD0182B KPA CN Csh:

Pty:

HRP

StID:

Name:

NmCd:

Name: PARMLEY, KENNETH VERL JR

Cln Sts:

ATTEMPTED VUCSA

Note:

Case: Y3SD0182B KPA CN Criminal Non-Traffic Closed

Print: N (Y/N)

S 05 17 2004 BENCH Warrant Ordered PGC
S Print on or after 05/17/2004 PGC
S Warrant expires on 12/31/2099 PGC
S 05 24 2004 BENCH Warrant Issued for SYS
S Fail To Comply SYS
S Bail: 1,000.00 + 75.00 Warrant Fee; Total Bail 1,075.00 SYS
THIS IS NOT AN EXPEDITED CASE - WARRANT EXPIRES ON 5/17/07. MMJ
06 20 2006 DEF PHONED REGARDING WARRANT. DEF STATES HE WAS RECENTLY CKP
RELEASED FROM PRISON AND WOULD LIKE TO COMPLY WITH SENTENCE. CKP
PROVIDED WARRANT RECALL INFORMATION. DEF STATES HE HAS 7 CKP
OTHER OUTSTANDING WARRANTS AND IS QUESTIONING HOW THEY WILL CKP
BE DELT WITH WHEN HE APPEARS ON THIS WARRANT. TRANSFERRED TO CKP
SEATTLE COURT FOR FURTHER INFORMATION AT DEF'S REQUEST. CKP
07 09 2015 CMS CLEANUP PROJECT REPORT REVIEWED. SET ADMIN REVIEW, RZM

13:07:44,Tuesday, September 19, 2017

D0031I End of Docket

DD1000PI

DD1000MI Case Docket Inquiry (CDK)

KCDC-WEST DIV (SDC)

09/19/17 13:07:42

Case: Y3SD0182B KPA CN Csh:

Pty:

HRP

StID:

Name:

NmCd:

Name: PARMLEY, KENNETH VERL JR

Cln Sts:

ATTEMPTED VUCSA

Note:

Case: Y3SD0182B KPA CN Criminal Non-Traffic Closed

Print: N (Y/N)

	07 09 2015	REVIEW TO CLOSE; WARRANT OUTSTANDING.	RZM
S		REV ADMN Set for 07/16/2015 01:30 PM	RZM
S		in Room XX1 with Judge DME	RZM
S	07 16 2015	REV ADMN: Held	SZU
		PER JUDGE CHAPMAN, QUASH WARRANT AND CLOSE CASE	SZU
S		Warrant Recalled	SZU
		CLOSE UPON RETURN OF WARRANT	SZU
	10 12 2015	WARRANT RECALL EMAILED TO KC DATA; EMAIL DELIVERY CONFIRMED	SZU
	11 30 2015	FILED- FAX FROM KCSO DATA INDICATING WARRANT RECALL PROCESSED	SZU
		WARRANT IS NOT IN FILE / NOT IN SYSTEM	SZU
S		Warrant Returned	SZU
S		Case Disposition of CL Entered	SZU

CRIMINAL ☐ TRAFFIC ☒ NON-TRAFFIC ☐ C

34038
RECEIVED
WASHINGTON

IN THE ☐ DISTRICT ☒ MUNICIPAL COURT OF BONNEY LAKE
☐ STATE OF WASHINGTON PLAINTIFF VS. NAMED DEFENDANT
☒ COUNTY OF PIERCE
☒ CITY/TOWN OF BONNEY LAKE

JUL 15 2002

C.E.A. ORI #: WA0271400

COURT ORI #: WA027011J

THE UNDERSIGNED CERTIFIES AND SAYS THAT IN THE STATE OF WASHINGTON MUNICIPAL COURT

DRIVER'S LICENSE NO. [REDACTED] STATE WA EXPIRES 12/05/05 ID NO. (SSN II CV) [REDACTED]

NAME: LAST PARMLEY FIRST KENNETH MIDDLE VONL ☐ IF NEW ADDRESS

ADDRESS 714 STEWART BLVD

CITY BONNEY LAKE STATE WA ZIP CODE 98580 EMPLOYER [REDACTED]

RACE W SEX M DATE OF BIRTH 12/05/60 HEIGHT 5-11 WEIGHT 175 EYES BRO HAIR BRO RESIDENTIAL PHONE NO. (360) 533-1775

VIOLATION DATE MONTH 07 DAY 16 YEAR 02 TIME 2227 ☐ INTERPRETER LANG: [REDACTED]

ON OR ABOUT 07 16 02 24 HOUR

AT LOCATION 22000 S. 24th M.P. [REDACTED] CITY/COUNTY OF BONNEY LAKE

DID OPERATE THE FOLLOWING VEHICLE/MOTOR VEHICLE ON A PUBLIC HIGHWAY AND

VEHICLE LICENSE NO. 033 mnx STATE WA EXPIRES 05/03 VEH. YR. 89 MAKE FORD MODEL TRUCK STYLE 2DL COLOR RED

TRAILER #1 LICENSE NO. [REDACTED] STATE [REDACTED] EXPIRES [REDACTED] TR. YR. [REDACTED] TRAILER #2 LICENSE NO. [REDACTED] STATE [REDACTED] EXPIRES [REDACTED] TR. YR. [REDACTED]

OWNER/COMPANY IF OTHER THAN DRIVER ADDRESS CITY STATE ZIP CODE

AUDETTE LAURIE 714 STEWART BLVD BONNEY LAKE WA 98580

ACCIDENT ☒ BAC ☐ COMMERCIAL ☐ YES ☐ NO HAZARD ☐ YES ☐ NO EXEMPT ☐ FARM ☐ FIRE ☐ OTHER ☐ R.V. ☐ NO

☒ NR ☐ R ☐ F ☐ READING VEHICLE ☐ NO PLACARD ☐ NO VEHICLE ☐ NO

DID THEN AND THERE COMMIT EACH OF THE FOLLOWING OFFENSES

1. VIOLATION/STATUTE CODE PLAK 9.08.020 ☐ DV [REDACTED]

OBSTRUCTING A PUBLIC OFFICER

2. VIOLATION/STATUTE CODE [REDACTED] ☐ DV [REDACTED]

APPEARANCE DATE 7 24 02 MO. 7 DY. 24 YR. 02 TIME 230 A.M. [REDACTED] P.M. [REDACTED] RELATED # 02-1985 MANDATORY ☒ BAIL U.S. FUNDS \$ 7-16-02

DATE ISSUED 7-16-02

WITHOUT ADMITTING HAVING COMMITTED EACH OF THE ABOVE OFFENSE(S), I PROMISE TO RESPOND AS DIRECTED ON THIS NOTICE.

DEFENDANT'S SIGNATURE X [Signature] OFFICER ROBERT HOGG 6251

COMPLAINT / CITATION

CRG	BLA	CNG	FINDINGS	FINE	SUSPENDED	SUB-TOTAL	FND/JUDG DATE
1	G	NG	G NG D BF	\$	\$	\$	5/28/14
2	G	NG	G NG D BF	\$	\$	\$	
OTHER COSTS \$						ABS. MLD TO OLY	
RECOMMENDED NONEXTENSION OF SUSPENSION						TO SERVE	
LICENSE SUR-RENDER DATE						WITH DAYS SUSP.	
TOTAL COSTS \$						CREDIT/TIME SVD	

WASHINGTON UNIFORM COURT DOCKET - COURT COPY

August 1997

12:33:26 Tuesday, September 19, 2017

D0030I Beginning of Docket

DD1000PI

DD1001MI Case Docket Inquiry (CDK)

BONNEY LAKE MUNI

09/19/17 12:32:35

PUB

Case: C00034038 BYP CN

StID: _____

Name: _____

NmCd: _____

Name/Title: PARMLEY, KENNETH VERL JR
OBSTRUCTING A PUBLIC OFFICER

Case: C00034038 BYP CN Criminal Non-Traffic

S	07 17 2002	Case Filed on 07/17/2002	KRS
S		DEF 1 PARMLEY, KENNETH VERL JR Added as Participant	KRS
S		ARR NN Set for 07/24/2002 02:30 PM	KRS
S		in Room 1 with Judge JJH	KRS
S		Vehicle Linked to PARMLEY, KENNETH VERL JR	KRS

D0071I More records available.

DD1000PI

DD1001MI Case Docket Inquiry (CDK)

BONNEY LAKE MUNI

09/19/17 12:32:44

PUB

Case: C00034038 BYP CN

StID: _____

Name: _____

NmCd: _____

Name/Title: PARMLEY, KENNETH VERL JR
OBSTRUCTING A PUBLIC OFFICER

Case: C00034038 BYP CN Criminal Non-Traffic

	07 24 2002	TCF DEF. HIS MOTHER WAS TO BRING TO COURT THIS DATE BUT HAD	GLR
		TO GO TO HOSPITAL. REQUEST CONTINUANCE	GLR
		WILL CONTINUE ONE WEEK ONLY AND NO NOTICE TO BE SENT	GLR
S		ARR NN Rescheduled to 07/31/2002 02:30 PM	GLR
S		in Room 1 with Judge JJH	GLR
S	07 31 2002	ARR NN: Held	GLR
		DEF PRESENT	GLR
		ACKNOWLEDGEMENT OF ADVICE OF RIGHTS.	GLR
		DEF READ AND SIGNED ELEMENT OF CRIME	GLR
		DEFENDANT WAIVES JURY TRIAL.	GLR
S		Defendant Arraigned on Charge 1	GLR
S		Plea/Response of Not Guilty Entered on Charge 1	GLR
S	08 05 2002	PTR NJT Set for 08/28/2002 02:00 PM	GLR
S		in Room 1 with Judge JJH	GLR

12:33:27 Tuesday, September 19, 2017

D0071I More records available.

DD1000PI

DD1001MI Case Docket Inquiry (CDK)

BONNEY LAKE MUNI

09/19/17 12:32:45
PUB

Case: C00034038 BYP CN

StID: _____

Name: _____

NmCd: _____

Name/Title: PARMLEY, KENNETH VERL JR
OBSTRUCTING A PUBLIC OFFICER

Case: C00034038 BYP CN Criminal Non-Traffic

S	08 06 2002	Notice Issued for PTR NJT on 08/28/2002 02:00 PM	GLR
	08 26 2002	NOTICE RETURNED BY THE POST OFFICE	PVD
	08 28 2002	DEFENDANT FAILS TO APPEAR.	KRS
		ISSUE BW	KRS
S		PTR NJT: Held	KRS
S	09 07 2002	BENCH Warrant Ordered	KRS
S		Print on or after 09/11/2002	KRS
S		Warrant expires on 09/10/2005	KRS
S	09 10 2002	Print on or after Date Changed to 09/10/2002	KRS
S		Expiration date changed to 09/09/2005	KRS
S		BENCH Warrant Issued for	SYS
S		Fail To Appear For Hearing	SYS
S		Bail: 500.00 + 0.00 Warrant Fee; Total Bail 500.00	SYS
	10 03 2002	DEF COPY OF BW RETURNED: NOT DELIVERABLE AS ADDRESSED	ALN

D0071I More records available.

DD1000PI

DD1001MI Case Docket Inquiry (CDK)

BONNEY LAKE MUNI

09/19/17 12:32:46
PUB

Case: C00034038 BYP CN

StID: _____

Name: _____

NmCd: _____

Name/Title: PARMLEY, KENNETH VERL JR
OBSTRUCTING A PUBLIC OFFICER

Case: C00034038 BYP CN Criminal Non-Traffic

	03 26 2003	TCF DEF, REQUEST WARRANT QUASH	ALN
S		SHO NN Set for 04/02/2003 02:00 PM	ALN
S		in Room 1 with Judge JJH	ALN
S	04 02 2003	Warrant Recalled	ALN
		DEF PRESENT	GLR
		PROS WRIGHT PRESENT	GLR
		JUDGE ORDERS WARRANT QUASHED	GLR
		AGREED ORDER FILED.	GLR
S		Charge 1 Other Deferral : Case Mgmt Decis	GLR
S		Case Heard Before Judge HELBLING, JAMES J	GLR
S		Judge Presiding HELBLING, JAMES J Imposed Sentence	GLR
S		Court Imposes Jail Time of 30 Days on Charge 1	GLR
S		with 30 Days Suspended, and	GLR
S		0 Days Credit for time served	GLR

12:33:27 Tuesday, September 19, 2017

D0071I More records available.

DD1000PI

DD1001MI Case Docket Inquiry (CDK)

BONNEY LAKE MUNI

09/19/17 12:32:47
PUB

Case: C00034038 BYP CN

StID: _____

Name: _____

NmCd: _____

Name/Title: PARMLEY, KENNETH VERL JR
OBSTRUCTING A PUBLIC OFFICER

Case: C00034038 BYP CN Criminal Non-Traffic

S 04 02 2003	Total Imposed on Charge 1:	600.00	GLR
S	with 300.00 Suspended		GLR
S	And 0.00 Other Amount Ordered		GLR
S	No Contact with Victim : 1 Y		GLR
S	NCV Review Set for 04/02/2004		GLR
	IF COMPLIES, CHRG TO BE DISMISSED		GLR
S	SHO NN: Held		GLR
S	STI: Held		GLR
S	No Criminal Violations : 1 Y		KRS
S	Review set for NCV on 04/02/2004 canceled		KRS
S	NCR Review Set for 04/02/2004		KRS
S 04 03 2003	Warrant Returned		ALN
S 04 10 2003	Charge 1: Def. complied with Jail Sentence		GLR

D0071I More records available.

DD1000PI

DD1001MI Case Docket Inquiry (CDK)

BONNEY LAKE MUNI

09/19/17 12:32:48
PUB

Case: C00034038 BYP CN

StID: _____

Name: _____

NmCd: _____

Name/Title: PARMLEY, KENNETH VERL JR
OBSTRUCTING A PUBLIC OFFICER

Case: C00034038 BYP CN Criminal Non-Traffic

S 04 10 2003	REV CLNN Set for 10/14/2003 09:00 AM		GLR
S	in Room 1 with Judge JJH		GLR
S	Accounts Receivable Created	300.00	GLR
	DEF TO PAY \$50 MONTH STARTING 5/1/03		GLR
S	Case Scheduled on Time Pay Agreement 1 for:	300.00	GLR
S 05 11 2003	DELINQUENT Time Pay Statement Sent for Time Pay Agreement 1		SYS
S 06 15 2003	DELINQUENT Time Pay Statement Sent for Time Pay Agreement 1		SYS
06 24 2003	DEL NOTICE RETURNED: MOVED, LEFT NO ADDRESS		ALN
S 07 13 2003	DELINQUENT Time Pay Statement Sent for Time Pay Agreement 1		SYS
07 14 2003	NO PAYMENT, SET FOR REV TP		ALN
S	REV Set for 09/10/2003 01:30 PM		ALN
S	in Room 1 with Judge JJH		ALN
07 22 2003	DEL NOTICE RETURNED: MOVED, LEFT NO ADDRESS		ALN
S 07 24 2003	Notice Issued for REV on 09/10/2003 01:30 PM		GLR

12:33:28 Tuesday, September 19, 2017

D0071I More records available.

DD1000PI
09/19/17 12:32:50
PUB

DD1001MI Case Docket Inquiry (CDK)

BONNEY LAKE MUNI

Case: C00034038 BYP CN

StID: _____

Name: _____

NmCd: _____

Name/Title: PARMLEY, KENNETH VERL JR
OBSTRUCTING A PUBLIC OFFICER

Case: C00034038 BYP CN Criminal Non-Traffic

07 30 2003	HRG NOTICE RETURNED: MOVED, LEFT NO ADDRESS	ALN
S 08 18 2003	DELINQUENT Time Pay Statement Sent for Time Pay Agreement 1	SYS
08 26 2003	DEL NOTICE RETURNED: MOVED, LEFT NO ADDRESS	ALN
09 10 2003	NOT PRESENT ISSUE BW	KRS
S	REV: Held	KRS
S 09 14 2003	DELINQUENT Time Pay Statement Sent for Time Pay Agreement 1	SYS
09 17 2003	NOTICE NOT SENT, HRG HELD	ALN
S 09 18 2003	Accounts Receivable Changed to	400.00 KRS
S	Authorized by KRS	KRS
S	BENCH Warrant Ordered	KRS
S	Print on or after 09/18/2003	KRS
S	Warrant expires on 09/17/2006	KRS
S	REV CLNN on 10/14/2003 09:00 AM	KRS
S	in Room 1 with Judge JJH Canceled	KRS

D0071I More records available.

DD1000PI
09/19/17 12:32:51
PUB

DD1001MI Case Docket Inquiry (CDK)

BONNEY LAKE MUNI

Case: C00034038 BYP CN

StID: _____

Name: _____

NmCd: _____

Name/Title: PARMLEY, KENNETH VERL JR
OBSTRUCTING A PUBLIC OFFICER

Case: C00034038 BYP CN Criminal Non-Traffic

S 09 18 2003	Case Removed from Time Pay Agreement 249 30814 1	KRS
S	BENCH Warrant Issued for	SYS
S	Fail To Appear For Hearing	SYS
S	Fail To Pay Fine Or Appear	SYS
S	Bail: 400.00 + 0.00 Warrant Fee; Total Bail	400.00 SYS
09 24 2003	DEF COPY OF BW RETURNED: UNDELIVERABLE AS ADDRESSED	ALN
02 06 2004	TCF DEF, OPTIONS OF WARRANT QUASH GIVEN.	ALN
	TCF DEF, REQUEST WARRANT QUASH.	ALN
S	SHO NN Set for 03/11/2004 03:30 PM	ALN
S	in Room 1 with Judge JJH	ALN
S 02 10 2004	SHO NN Rescheduled to 03/10/2004 03:30 PM	KRS
S	in Room 1 with Judge JJH	KRS
S	SHO NN on 03/10/2004 03:30 PM	KRS
S	in Room 1 with Judge JJH Canceled	KRS

12:33:28, Tuesday, September 19, 2017

D0071I More records available.

DD1001MI Case Docket Inquiry (CDK)

BONNEY LAKE MUNI

DD1000PI
09/19/17 12:32:52
PUB

Case: C00034038 BYP CN

StID: _____

Name: _____

NmCd: _____

Name/Title: PARMLEY, KENNETH VERL JR
OBSTRUCTING A PUBLIC OFFICER

Case: C00034038 BYP CN Criminal Non-Traffic

S	02	10	2004	SHO Set for 03/10/2004 02:30 PM	KRS
S				in Room 1 with Judge JJH	KRS
S	02	11	2004	SHO Rescheduled to 02/25/2004 03:30 PM	ALN
S				in Room 1 with Judge JJH	ALN
				TCF DEF, WAS SUPPOSE TO BE SET FOR THIS DATE, CLERK ACCIDENTL	ALN
				SET FOR NEXT MONTH, DEF UNABLE TO MAKE THIS DATE, RESCHEDULED	ALN
				TO NEXT WARRANT QUASH.	ALN
S	02	12	2004	Notice Issued for SHO on 02/25/2004 03:30 PM	GLR
	02	25	2004	NOT PRESENT, WARRANT TO REMAIN ACTIVE	KRS
S				SHO: Held	KRS
	05	15	2004	LETTER ON SPECIAL WARRANT COURT TO BE SENT	GLR
	06	04	2004	LETTER RETURNED: MOVED, LEFT NO ADDRESS	ALN
	08	06	2005	LETTER ON SPECIAL AMNESTY COURT NOT SENT DUE TO NO UPDATED	GLR
				ADDRESS IN SYSTEM	GLR

D0071I More records available.

DD1001MI Case Docket Inquiry (CDK)

BONNEY LAKE MUNI

DD1000PI
09/19/17 12:32:54
PUB

Case: C00034038 BYP CN

StID: _____

Name: _____

NmCd: _____

Name/Title: PARMLEY, KENNETH VERL JR
OBSTRUCTING A PUBLIC OFFICER

Case: C00034038 BYP CN Criminal Non-Traffic

	04	10	2006	TCF DEF, EITHER DEF OR GIRLFRIEND WILL COME IN TO PAY ON	ALN
				THIS MATTER. VERIFIED UPDATED ADDRESS W/DEF	ALN
				DEF'S GIRLFRIEN AT COUNTER TO PAY \$100 WARR FEE.	GLR
S				6098100142 Partial Fine Payment Received	100.00 GLR
S				REV Set for 04/26/2006 09:15 AM	GLR
S				in Room 1 with Judge JJH	GLR
S				Warrant Quashed	GLR
S				Notice Issued for REV on 04/26/2006 09:15 AM	GLR
S	04	14	2006	Warrant Returned	GLR
	04	26	2006	DEFENDANT FAILS TO APPEAR.	KRS
				CASE FILE REVIEW, CLOSE AND PROCESS FOR COLLECTIONS	KRS
S				REV: Held	KRS
S	05	09	2006	Case Obligation Selected for Collections	KRS
S	05	22	2006	Collections: 1st Notice Prepared	GLR

12:33:28 Tuesday, September 19, 2017

D0071I More records available.

DD1000PI

09/19/17 12:32:56

DD1001MI Case Docket Inquiry (CDK)

BONNEY LAKE MUNI

PUB

Case: C00034038 BYP CN

StID: _____

Name: _____

NmCd: _____

Name/Title: PARMLEY, KENNETH VERL JR
OBSTRUCTING A PUBLIC OFFICER

Case: C00034038 BYP CN Criminal Non-Traffic

S	07	11	2006	Case Obligation Assigned to ALLIANCE ONE for Collections	D*G
S	08	13	2009	Case Obligation Removed from Collections	GLR
				REC'D NOTICE OF CHAPTER 7 FILED ON 8/4/09	GLR
				--MATTERS REMOVED FROM COLLECTIONS AND TIMEPAY TO BE RESET	GLR
				FOR LUMP ON 11/15/09--BK W/BE DONE BY THEN.	GLR
				IF NO RESPONSE BY 2ND DELINQUENT NOTICE, SELECT FOR COLLECT	GLR
12	10	2009		REC'D NOTICE OF CHAPTER 7 DISCHARGE	GLR
				--IF NO RESPONSE TO COLLECTION NOTICE, ASSIGN TO COLLECTIONS	GLR
				ON C34038: UPON PAYMENT IN FULL, ENTER DISMISSAL DATE OF	GLR
				4/26/06	GLR
S				Case Obligation Selected for Collections	GLR
S	01	08	2010	Collections: 1st Notice Prepared	TAT
S	02	10	2010	Case Obligation Assigned to PUGET SOUND COLLECTION for Collec	TAT
S				tions	TAT

D0031I End of Docket

DD1000PI

09/19/17 12:33:00

DD1001MI Case Docket Inquiry (CDK)

BONNEY LAKE MUNI

PUB

Case: C00034038 BYP CN

StID: _____

Name: _____

NmCd: _____

Name/Title: PARMLEY, KENNETH VERL JR
OBSTRUCTING A PUBLIC OFFICER

Case: C00034038 BYP CN Criminal Non-Traffic

	04	21	2014	PROSECUTOR REQUEST HEARING TO BE SET TO ENTER FINAL DISP.	KRS
S				REV Set for 05/28/2014 04:00 PM	KRS
S				in Room 1 with Judge RDH	KRS
S	04	22	2014	Notice Issued for REV on 05/28/2014 04:00 PM	GLR
	05	01	2014	MAIL RETURNED UNDELIVERABLE.	HLW
				5/28/14 HRG NOTICE RET'D: UNABLE TO FWD. REMAILED TO DOL ADDR	HLW
	05	15	2014	MAIL RETURNED UNDELIVERABLE.	HLW
				5/28/14 HRG NOTICE RET'D FROM DOL ADDR	HLW
S	05	28	2014	REV: Held	KRS
				NOT PRESENT, FILE REVIEW, CHARGE ON RECORD	KRS
S				Finding/Judgment of Guilty for Charge 1	KRS
S				Hearing Judge Changed to Judge : HESLOP, RONALD D	KRS
	04	21	2017	FILE REVIEW: FINES IN COLLECTION, PHYSICAL FILE CLOSED	HLW

DD7020SX LMF
09/25/2017 11:52 AM

KITSAP DISTRICT COURT
D O C K E T

PAGE: 1

DEFENDANT
PARMLEY, KENNETH VERL JR
6814 MARTIN WAY E #10
LACEY WA 98516-5571

CASE: 15585101 KPR
Criminal Non-Traffic
Agency No.

Home Phone: 3607898135

AKA No aliases on file.

CHARGES

Violation Date: 06/20/2002

1 9A.56.050

THEFT THIRD DEGREE

DV Plea
N

Finding
Guilty

TEXT

S	09/17/2002	Case Filed on 09/17/2002	
	09/18/2002	DEF 1 PARMLEY, KENNETH VERL JR Added as Participant	DRB
		ARR NN Set For 10/08/2002 09:00 AM In Room 1	
	09/20/2002	ARR NN on 10/08/2002 09:00 AM in Room 1 Canceled	
		ARR YN Set For 10/08/2002 09:00 AM In Room 1	
		Notice Issued for ARR YN on 10/08/2002 09:00 AM	
U	10/08/2002	DEFENDANT FAILS TO APPEAR.	DGS
		STATE REPRESENTED BY BUSKIRK	DRB
S		BENCH Warrant Ordered	
		Print on or after 10/08/2002	
		Warrant expires on 10/08/2007	
U		----- WDP/DCN	
S		ARR YN: Held	
	10/09/2002	Warrant Order Canceled	
U		SUMMONS WAS RETURNED WITH FORWARDING ADDRESS	BAS
		COURT TO RESUMMONS	
S	10/17/2002	ARR YN Set For 11/05/2002 09:00 AM In Room 1	
		Notice Issued for ARR YN on 11/05/2002 09:00 AM	DSJ
U	10/30/2002	SUMMONS RETURNED - NOT DELIVERABLE AS ADDRESSED	DRB
	11/05/2002	DEFENDANT FAILS TO APPEAR.	
		STATE REPRESENTED BY BUSKIRK	
S		BENCH Warrant Ordered	
		Print on or after 11/05/2002	
		Warrant expires on 11/05/2007	
U		----- CRF/DCN	
S		ARR YN: Held	
	11/06/2002	BENCH Warrant Issued for	SYS
		Fail To Appear For Hearing	
		Bail: 5,000.00 + 0.00 Warrant Fee; Total Bail 5,000.00	
	04/02/2003	OTH BW Set For 04/02/2003 09:30 AM In Room 203	SME
U		DEFENDANT PRESENT	KSB
S		Warrant Quashed	
U		MATTER TRANSFERRED TO DCS, MATTER RESET FOR ARRIAGNMENT	
		IN DCS-----MGP/203	
S		OTH BW: Held	
	04/03/2003	ARR RESNN Set For 04/18/2003 09:00 AM In Room 201	SME
		Warrant Returned	JRK
U	04/18/2003	DEFT PHONED - TRANSPORTATION DID NOT ARRIVE, WILL BE 20 MIN	LKH
		LATE	
		DEFT ARRIVES LATE	DJW

Docket continued on next page

DD7020SX LMH
09/25/2017 11:52 AM

KITSAP DISTRICT COURT
D O C K E T

PAGE: 2

DEFENDANT
PARMLEY, KENNETH VERL JR

CASE: 15585101 KPR
Criminal Non-Traffic
Agency No.

TEXT - Continued

U	04/18/2003	STATE REPRESENTED BY BUSKIRK DEFENDANT STIPULATED TO FACTS SUFFICIENT TO ENTER A FINDING OF GUILTY	DJW
S		Defendant Arraigned on Charge 1 Finding/Judgment of Guilty for Charge 1 Case Heard Before Judge OLSEN, SALLY F Judge Pro Tem OLSEN, SALLY F Imposed Sentence Court Imposes Jail Time of 365 Days on Charge 1 with 355 Days Suspended, and 0 Days Credit for time served Charge 1: Def. complied with Jail Sentence Total Imposed on Charge 1: with 4,250.00 Suspended And 0.00 Other Amount Ordered	5,000.00
U		DEFT FILES PROOF OF TRTMT FROM HOOPER CENTER	
S		Accounts Receivable Created Case Scheduled on Time Pay Agreement 1 for: ARR RESNN: Not Held, Hearing Canceled STI NN: Held	750.00 RMG 750.00 DJW
	06/05/2003	COMPLIANT Time Pay Statement Sent for Time Pay Agreement 1	SYS
U	06/11/2003	TIME PAY STATEMENT RETURNED-MOVED LEFT NO ADDRESS	RMG
S	07/01/2003	Case Removed from Time Pay Agreement 249 30814 1	TRD
U	07/02/2003	DEFT FAILED TO COMPLETE 10 DAYS JAIL; COURT TO SUMMONS	RMG
S		Case Obligation Selected for Collections	TRD
	07/03/2003	Collections: 1st Notice Prepared	
	07/07/2003	OTH COMPY Set For 08/15/2003 03:00 PM In Room 104 Notice Issued for OTH COMPY on 08/15/2003 03:00 PM	RMG GDV
U	07/11/2003	TIME PAY STATEMENT RETURNED-MOVED LEFT NO ADDRESS	RMG
	07/15/2003	SUMMONS RETURNED - MOVED LEFT NO ADDRESS	DGS
S	08/06/2003	Case Obligation Assigned to ALLIANCEONE for Collections	TRD
U	08/15/2003	DEFENDANT FAILS TO APPEAR. \$5,000 BW ORDERED*****DO NOT QUASH***** -----SD/104	DJW
S		OTH COMPY: Held	
	08/19/2003	BENCH Warrant Ordered Print on or after 08/19/2003 Warrant expires on 08/19/2008	
	08/21/2003	BENCH Warrant Issued for Fail To Appear For Hearing Bail: 5,000.00 + 0.00 Warrant Fee; Total Bail	SYS 5,000.00
U	09/09/2008	MOTION FOR HEARING TO QUASH WARRANT FILED	SME
S		OTH BW Set For 09/19/2008 09:05 AM In Room 201	
U	09/19/2008	DEFENDANT FAILS TO APPEAR. STATE REPRESENTED BY ARUIZA BW TO REMAIN ISSUED-----SJH	DJI
S		OTH BW: Held	
U	08/11/2009	NOTICE OF CHAPTER 7 BANKRUPTCY FILED - COPY TO ALLIANCEONE	JRK
	12/11/2009	US BANKRUPTCY DISCHARGE OF DEBTOR FILED - COPY TO ALLIANCE	
	08/04/2011	PER PROS BRADLEY - QUASH WARRANT - NO FURTHER HEARINGS	

Docket continued on next page

DD70205X LMH
09/25/2017 11:52 AM

KITSAP DISTRICT COURT
D O C K E T

PAGE: 3

DEFENDANT
PARMLEY, KENNETH VERL JR

CASE: 15585101 KPR
Criminal Non-Traffic
Agency No.

TEXT - Continued

S 08/04/2011 Warrant Quashed
Warrant Returned JRK
U 09/19/2011 ORDER ON MOTION TO QUASH WARRANT SIGNED AND FILED IN CASE
#17536101-----SJH
S 11/28/2011 Case Obligation Removed from Collections
Collection Status Manually Assigned to DYNAMIC COLLECTORS INC
U 02/13/2013 ORDER RENEWING JUDGMENT SIGNED-----JJJ
S 06/17/2015 15168100692 Partial Fine Payment Received 24.00 KLD
07/17/2015 15198100495 Partial Fine Payment Received 30.00 DRW

ACCOUNTING SUMMARY

	Total Due	Paid	Credit	Balance
Timepay: N	750.00	54.00		696.00

COLLECTION STATUS

Status Date	Status Description	Clm Amt
11/28/2011	Agent Assigned by User	750.00

Collection Agent: DYNAMIC COLLECTORS INC

ADDITIONAL CASE DATA

Case Disposition
Disposition: OPEN

Personal Description

Sex: M Race: W DOB: 12/05/1960
Dr.Lic.No.: PARMLKV409RE State: WA Expires: 2021
Employer:
Height: 5 11 Weight: 175 Eyes: BRO Hair: BRO
Identifying Information: TAT R SHLD CELTIC CROSS/TAT BACK
CROSS OLYMPIA PORTRAIT OF HIS
MOTHER

Hearing Summary

Held	ARRAIGNMENT	ON 10/08/2002 AT 09:00 AM IN ROOM 1 WITH WDP
Held	ARRAIGNMENT	ON 11/05/2002 AT 09:00 AM IN ROOM 1 WITH CRF
Held	BENCH WARRANT HRG	ON 04/02/2003 AT 09:30 AM IN ROOM 203 WITH MGP
Held		ON 04/18/2003 AT 09:00 AM IN ROOM 201 WITH SFO
Held	COMPLIANCE HRG	ON 08/15/2003 AT 03:00 PM IN ROOM 203 WITH SXD
Held	BENCH WARRANT HRG	ON 09/19/2008 AT 09:05 AM IN ROOM 201 WITH SJH

End of docket report for this case

DD7020SX IEQ
09/20/2017 2:32 PM

ABERDEEN MUNICIPAL COURT
D O C K E T

PAGE: 1

DEFENDANT
PARMLEY, KENNETH VERL JR
[REDACTED]

CASE: C00047631 ABP
Criminal Non-Traffic
Agency No.

Home Phone: [REDACTED]

AKA No aliases on file.

OFFICER
01636 ABP GREEN, DALE L

CHARGES

Violation Date: 05/17/2004 DV Plea Finding
1 9A.56.170 POSS STOLEN PROPERTY 3RD N Guilty Guilty

TEXT

S 05/19/2004 Case Filed on 05/19/2004 BVG
DEF 1 PARMLEY, KENNETH VERL JR Added as Participant
OFF 1 GREEN, DALE L Added as Participant
ARR N Set for 05/19/2004 08:30 AM
in Room 1 with Judge PDC
ARR N: Held
Defendant Arraigned on Charge 1 TAB
Plea/Response of Guilty Entered on Charge 1
Finding/Judgment of Guilty for Charge 1
Case Heard Before Judge CONROY, PAUL DOUGLAS
Judge CONROY, PAUL DOUGLAS Imposed Sentence
Court Imposes Jail Time of 365 Days on Charge 1
with 362 Days Suspended, and
0 Days Credit for time served
Total Imposed on Charge 1: 100.00
with 0.00 Suspended
And 200.00 Other Amount Ordered
NCR : No Criminal Violations
Probation : 24 M
Alcohol Assessment : 45 D
DEF IC TO SERVE JAIL TIME NOW
U
S Accounts Receivable Created 300.00
Case Scheduled on Time Pay Agreement 1 for: 1,505.00
REV N Set for 07/01/2004 10:30 AM
in Room 1 with Judge PDC
05/24/2004 PCN added to case BVG
PCN added to case
05/27/2004 Charge 1: Def. complied with Jail Sentence
06/13/2004 COMPLIANT Time Pay Statement Sent for Time Pay Agreement 1 SYS
U 06/18/2004 TTP STATEMENT RETD IN MAIL PJM
S 07/01/2004 REV N: Held BVG
U
S REST STRUCK
BENCH Warrant Ordered
Print on or after 07/01/2004
Warrant expires on 07/01/2008
BENCH Warrant Issued for SYS
Fail To Appear For Hearing

Docket continued on next page

DD7020SX IEQ
09/20/2017 2:32 PM

ABERDEEN MUNICIPAL COURT
D O C K E T

PAGE: 2

DEFENDANT
PARMLEY, KENNETH VERL JR

CASE: C00047631 ABP
Criminal Non-Traffic
Agency No.

TEXT - Continued

S	07/01/2004	Cash Bail Only		SYS
		Bail: 2,500.00 + 0.00 Warrant Fee; Total Bail	2,500.00	
	07/11/2004	DELINQUENT Time Pay Statement Sent for Time Pay Agreement 1		
U	07/16/2004	TTP STATEMENT RETD IN MAIL		PJM
S	08/15/2004	DELINQUENT Time Pay Statement Sent for Time Pay Agreement 1		SYS
U	08/23/2004	TTP STATEMENT RETD IN MAIL		PJM
S	09/13/2004	DELINQUENT Time Pay Statement Sent for Time Pay Agreement 1		SYS
U	09/20/2004	TTP STATEMENT RETD IN MAIL		PJM
S	09/22/2004	Case Removed from Time Pay Agreement 249 30814 1		
U		UNABLE TO ISSUE FTP, HUNG W/FTA		
S	10/21/2004	Warrant Served		BVG
	10/22/2004	Warrant Returned		
		OTH JAIL Set for 10/22/2004 08:30 AM		
		in Room 1 with Judge PDC		
		OTH JAIL: Held		
		ATY 1 BUTLER, DAVID P. Added as Participant		
		REV Y Set for 10/28/2004 02:30 PM		
		in Room 1 with Judge PDC		
		Notice Issued for REV Y on 10/28/2004 02:30 PM		PJM
U		PETITION TO REVOKE SUSPENDED SENTENCE		TAF
	10/28/2004	DEF WAS FURLOUGHED FROM JAIL TO RETURN 10/27 3PM, DID NOT		BVG
		RETURN, CASES CONT ONE WEEK FOR BUTLER TO LOCATE		
S		REV Y Rescheduled to 11/04/2004 02:30 PM		
		in Room 1 with Judge PDC		
	10/29/2004	Notice Issued for REV Y on 11/04/2004 02:30 PM		
	11/03/2004	Collection Delay Date of 11/06/2004 Added		PJM
	11/04/2004	REV Y: Not Held, Wt/FTA Ordered		BVG
		BENCH Warrant Ordered		
		Print on or after 11/04/2004		
		Warrant expires on 11/04/2008		
		BENCH Warrant Issued for		SYS
		Fail To Appear For Hearing		
		Cash Bail Only		
		Bail: 2,500.00 + 0.00 Warrant Fee; Total Bail	2,500.00	
	12/23/2004	Warrant Served		DXP
	12/27/2004	Warrant Returned		
		REV N Set for 01/14/2005 09:00 AM		
		in Room 1 with Judge PDC		
	01/14/2005	REV N: Not Held, Wt/FTA Ordered		BVG
		BENCH Warrant Ordered		
		Print on or after 01/14/2005		
		Warrant expires on 01/14/2009		
		BENCH Warrant Issued for		SYS
		Fail To Appear For Hearing		
		Fail To Pay Fine Or Appear		
		Cash Bail Only		
		Bail: 5,000.00 + 0.00 Warrant Fee; Total Bail	5,000.00	
	01/19/2005	Warrant Served		DXP
	01/21/2005	Warrant Returned		

Docket continued on next page

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09/20/2017 2:32 PM

ABERDEEN MUNICIPAL COURT
D O C K E T

PAGE: 3

DEFENDANT
PARMLEY, KENNETH VERL JR

CASE: C00047631 ABP
Criminal Non-Traffic
Agency No.

TEXT - Continued

S	01/21/2005	REV N Set for 02/11/2005 09:00 AM in Room 1 with Judge PDC	DXP
	01/27/2005	Collection Delay Date of 02/12/2005 Added	PJM
	02/11/2005	REV N: Not Held, Wt/FTA Ordered BENCH Warrant Ordered Print on or after 02/11/2005 Warrant expires on 02/11/2009 BENCH Warrant Issued for Fail To Appear For Hearing Cash Bail Only	BVG SYS
	03/03/2005	Bail: 5,000.00 + 0.00 Warrant Fee; Total Bail 5,000.00 Warrant Served Warrant Returned OTH JAIL Set for 03/03/2005 08:30 AM in Room 1 with Judge PDC OTH JAIL Rescheduled to 03/04/2005 08:30 AM in Room 1 with Judge PDC Case Obligation Selected for Collections Collections: 1st Notice Prepared	 BVG PJM
	03/04/2005	OTH JAIL Rescheduled to 03/07/2005 08:30 AM in Room 1 with Judge PDC Case Obligation Cleared from Collections Collection Delay Date of 03/09/2005 Added	TAF PJM
	03/07/2005	OTH JAIL: Held REV Y Set for 03/10/2005 02:30 PM in Room 1 with Judge PDC Notice Issued for REV Y on 03/10/2005 02:30 PM	BVG TAF
	03/10/2005	REV Y: Held Case Obligation Selected for Collections Collections: 1st Notice Prepared	BVG PJM
U		DEF PAY \$725 OR STAY 29 DYS JAIL ON YO-41528, MORE TTP ON C47629/605, C47630/775, C47631/300, PYMTS BEGIN 5-10-05 150/M	TAF
S	03/11/2005	REV Y Set for 05/12/2005 09:01 AM in Room 1 with Judge PDC Case Obligation Cleared from Collections Case Scheduled on Time Pay Agreement 1 for: 1,680.00 Notice Issued for REV Y on 05/12/2005 09:01 AM	 1,680.00
U	03/15/2005	LETTER ON JUDGE'S DESK FOR REVIEW PER JUDGE PDC, HE WILL REVIEW ON 03/17, LETTER TO DEF	DXP
S	03/18/2005	Case Scheduled on Time Pay Agreement 1 for: 2,080.00	TAF
	04/24/2005	COMPLIANT Time Pay Statement Sent for Time Pay Agreement 1	SYS
U	04/28/2005	TTP STATEMENT RETD IN MAIL	PJM
	05/12/2005	DEF IN TX, RESET REV	BVG
S		REV Y Rescheduled to 05/26/2005 09:01 AM in Room 1 with Judge PDC Notice Issued for REV Y on 05/26/2005 09:01 AM	 PJM
	05/23/2005	DELINQUENT Time Pay Statement Sent for Time Pay Agreement 1	SYS
	05/26/2005	REV Y: Not Held, Wt/FTA Ordered BENCH Warrant Ordered	BVG PJM

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ABERDEEN MUNICIPAL COURT
D O C K E T

PAGE: 4

DEFENDANT
PARMLEY, KENNETH VERL JR

CASE: C00047631 ABP
Criminal Non-Traffic
Agency No.

TEXT - Continued

S	05/26/2005	Print on or after 05/26/2005	PJM
		Warrant expires on 05/26/2009	
		BENCH Warrant Issued for	SYS
		Fail To Appear For Hearing	
		Cash Bail Only	
		Bail: 2,500.00 + 0.00 Warrant Fee; Total Bail	2,500.00
U	06/14/2005	TTP STATEMENT RETD IN MAIL	PJM
S		Case Removed from Time Pay Agreement 249 30814 1	
U		UNABLE TO ISSUE FTP, HUNG W/FTA	
	04/12/2006	JL COMMIT RET 30 DYS NON-COMPLIANCE SATISFIED	DXP
S	06/22/2006	Warrant Served	BVG
		Warrant Returned	
		OTH JAIL Set for 06/22/2006 08:30 AM	
		in Room 1 with Judge PDC	
		OTH JAIL: Held	
U		PER JUDGE PDC, DEF TO PAY \$605 OR SERVE 12 DAYS C47629,	
		IF PD NEED NOT APPEAR, DEF TO SERVE 5 DAYS NON-COMPLIANCE	
		EACH, MORE TTP, C47631, C48556, REPORT TO JAIL 07/26/06	
		3 PM, MORE TTP C47630	
S		Case Scheduled on Time Pay Agreement 1 for:	1,475.00
U	07/26/2006	APD CHANGED JL COMMIT TO 8/22/06 @ 3PM	DXP
	08/23/2006	APD CHANGED JL COMMIT TO 9/19/06 @ 3PM	
S	09/05/2006	COMPLIANT Time Pay Statement Sent for Time Pay Agreement 1	SYS
U	09/19/2006	APD CHANGED JL COMMIT TO 10/04/06 @ 3PM	DXP
S	10/01/2006	DELINQUENT Time Pay Statement Sent for Time Pay Agreement 1	SYS
	10/23/2006	Case Removed from Time Pay Agreement 249 30814 1	PJM
		BENCH Warrant Ordered	
		Print on or after 10/23/2006	
		Warrant expires on 10/23/2010	
		BENCH Warrant Issued for	SYS
		Fail To Pay Fine Or Appear	
		Cash Bail Only	
		Bail: 300.00 + 0.00 Warrant Fee; Total Bail	300.00
11/27/2006		Warrant Quashed	PJM
		Warrant Returned	
		BENCH Warrant Ordered	
		Print on or after 11/27/2006	
		Warrant expires on 11/27/2010	
		BENCH Warrant Issued for	SYS
		Fail To Comply	
		Fail To Pay Fine Or Appear	
		No Bail	
		6331100275 Fine Payment Paid in Full	300.00 DXP
08/11/2008		Warrant Served	
08/12/2008		Warrant Returned	
		REV N Set for 09/15/2008 01:00 PM	
		in Room 1 with Judge PDC	
		Collection Delay Date of 09/16/2008 Added	
U	09/12/2008	DEF CALLED, IN HOSPITAL TODAY WITH A HERNIA, A SPECIALIST IS TAF	

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ABERDEEN MUNICIPAL COURT

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DEFENDANT
PARMELEY, KENNETH VERL JR
CASE: C00047631 ABP
Criminal Non-Traffic
Agency No.

TEXT - Continued

U 09/12/2008 GOING TO SEE DEF & RECOMMEND MEDICAL PROCEDURE, DEF MAY NOT
BE HERE FOR CRT HRG DUE TO MEDICAL CONDITION, ADVISED DEF TO
HAVE DR/NURSE PUT MEDICAL ISSUE IN WRITING & FAX TO CRT ASAP
S 09/15/2008 REV N: Not Held, Wt/FTA Ordered
U
S
BENCH WARRANT ORDERED
PRINT ON OR AFTER 09/15/2008
WARRANT EXPIRES ON 09/15/2012
BENCH WARRANT ISSUED FOR
FAIL TO COMPLY
NO BAIL
WARRANT EXPIRED.
09/18/2012 Warrant Returned
09/19/2012 BENCH Warrant Ordered
PRINT ON OR AFTER 09/19/2012
WARRANT EXPIRES ON 09/19/2012
OMES 5 DAYS JAIL
U
S 09/21/2012 BENCH Warrant Issued for
FAIL TO COMPLY
NO BAIL
03/24/2013 Warrant Served
03/25/2013 Warrant Returned
OTH JAIL Set for 03/25/2013 10:30 AM
in Room 1 with Judge PDC
DEF PRES I/C HRG, JUDGE PDC/PA FM
WAIVER OF COUNSEL
5 DAYS W/5DAYS CREDIT ON C47631, C48556 TO SERVE 5 DAYS
Revoked Suspended Jail : 5 D
Defendant Complied with Revoked Suspended Jail
OTH JAIL: Held
04/09/2013 Case Disposition of CL Entered
05/02/2017 Criteria met for case file to be destroyed, included on Destr SYS

ACCOUNTING SUMMARY

Timepay: N
Total Due 300.00
Paid 300.00
Credit
Balance

COLLECTION STATUS

Status Date Status Description
03/11/2005 Cleared/Removed by User
Cln Amt 300.00

ADDITIONAL CASE DATA

Case Disposition
Disposition: Closed

Parties

Attorney
BUTLER, DAVID P.

Docket continued on next page

DEFENDANT

PARMLEY, KENNETH VERL JR

ADDITIONAL CASE DATA - continued

Personal Description

Sex: M Race: W DOB: [REDACTED]

Dr.Lic.No.: [REDACTED] State: [REDACTED] Expires: [REDACTED]

Employer:

Height: 5 11 Weight: 175 Eyes: BRO Hair: BRO

Identifying Information: TAT R SHLD CELTIC CROSS/TAT BACK

CROSS OLYMPIA PORTRAIT OF HIS

MOTHER

Hearing Summary

ARRAIGNMENT

Hold

REVIEW HEARING

Hold

IN CUSTODY

Hold

REVIEW HEARING

Hold

IN CUSTODY

Hold

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End of docket report for this case

ON 05/19/2004 AT 08:30 AM IN ROOM 1 WITH PDC
ON 07/01/2004 AT 10:30 AM IN ROOM 1 WITH PDC
ON 10/22/2004 AT 08:30 AM IN ROOM 1 WITH PDC
ON 03/07/2005 AT 08:30 AM IN ROOM 1 WITH PDC
ON 03/10/2005 AT 02:30 PM IN ROOM 1 WITH PDC
ON 06/22/2006 AT 08:30 AM IN ROOM 1 WITH PDC
ON 03/25/2013 AT 10:30 AM IN ROOM 1 WITH PDC

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ABERDEEN MUNICIPAL COURT
D O C K E T

PAGE: 1

DEFENDANT
PARMLEY, KENNETH VERL JR
[REDACTED]

CASE: C00047629 ABP
Criminal Traffic
Agency No.

Home Phone: [REDACTED]

AKA No aliases on file.

OFFICER
01636 ABP GREEN, DALE L

CHARGES

Violation Date: 05/17/2004

1 46.20.342.1.C DRIVING WHILE SUSPENDED
3RD

DV Plea
N Guilty

Finding
Guilty

TEXT

S 05/18/2004 Case Filed on 05/18/2004
DEF 1 PARMLEY, KENNETH VERL JR Added as Participant
OFF 1 GREEN, DALE L Added as Participant
ARR N Set for 05/18/2004 08:30 AM
in Room 1 with Judge PDC
ARR N: Held
Defendant Arraigned on Charge 1
Plea/Response of Guilty Entered on Charge 1
Finding/Judgment of Guilty for Charge 1
Case Heard Before Judge CONROY, PAUL DOUGLAS
Judge CONROY, PAUL DOUGLAS Imposed Sentence
Court Imposes Jail Time of 90 Days on Charge 1
with 83 Days Suspended, and
0 Days Credit for time served
Total Imposed on Charge 1: 100.00
with 0.00 Suspended
And 205.00 Other Amount Ordered
DEF IC TO SERVE JAIL TIME NOW
Accounts Receivable Created 305.00
Case Scheduled on Time Pay Agreement 1 for: 1,205.00
Case Scheduled on Time Pay Agreement 1 for: 1,505.00
05/19/2004 PCN added to case
05/24/2004 Charge 1: Def. complied with Jail Sentence
05/27/2004 COMPLIANT Time Pay Statement Sent for Time Pay Agreement 1
06/13/2004 TTP STATEMENT RETD IN MAIL
U 06/18/2004 DELINQUENT Time Pay Statement Sent for Time Pay Agreement 1
S 07/11/2004 TTP STATEMENT RETD IN MAIL
U 07/16/2004 DELINQUENT Time Pay Statement Sent for Time Pay Agreement 1
S 08/15/2004 TTP STATEMENT RETD IN MAIL
U 08/23/2004 DELINQUENT Time Pay Statement Sent for Time Pay Agreement 1
S 09/13/2004 TTP STATEMENT RETD IN MAIL
U 09/20/2004 Case Removed from Time Pay Agreement 249 30814 1
S 09/22/2004 BENCH Warrant Ordered
Print on or after 09/22/2004
Warrant expires on 09/22/2008
FTA Ordered

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ABERDEEN MUNICIPAL COURT
D O C K E T

PAGE: 2

DEFENDANT
PARMLEY, KENNETH VERL JR

CASE: C00047629 ABP
Criminal Traffic
Agency No.

TEXT - Continued

S	09/22/2004	FTA Issued, Amount Due	305.00	SYS
	09/23/2004	BENCH Warrant Issued for Fail To Pay Fine Or Appear Cash Bail Only Bail: 305.00 + 0.00 Warrant Fee; Total Bail	305.00	
	10/21/2004	Warrant Served		BVG
	10/22/2004	Warrant Returned OTH JAIL Set for 10/22/2004 08:30 AM in Room 1 with Judge PDC OTH JAIL: Held ATY 1 BUTLER, DAVID P. Added as Participant REV Y Set for 10/28/2004 02:30 PM in Room 1 with Judge PDC Notice Issued for REV Y on 10/28/2004 02:30 PM		
U	10/28/2004	DEF WAS FURLOUGHED FROM JAIL TO RETURN 10/27 3PM, DID NOT RETURN, CASES CONT ONE WEEK FOR BUTLER TO LOCATE		PJM BVG
S		REV Y Rescheduled to 11/04/2004 02:30 PM in Room 1 with Judge PDC		
	10/29/2004	Notice Issued for REV Y on 11/04/2004 02:30 PM		
	11/03/2004	Collection Delay Date of 11/06/2004 Added		PJM
	11/04/2004	REV Y: Not Held, Wt/FTA Ordered Accounts Receivable Changed to Authorized by BVG	405.00	BVG
		BENCH Warrant Ordered Print on or after 11/04/2004 Warrant expires on 11/04/2008 BENCH Warrant Issued for Fail To Appear For Hearing Fail To Pay Fine Or Appear Cash Bail Only Bail: 405.00 + 0.00 Warrant Fee; Total Bail	405.00	
U	11/23/2004	PER JUDGE PDC, PMT EXT, NXT PMT 03/15/05 AT \$75 PER MO, LETTER TO DEF, C47628, C45747		BVG
S	12/23/2004	Warrant Served		DXP
	12/27/2004	Warrant Returned REV N Set for 01/14/2005 09:00 AM in Room 1 with Judge PDC		
	01/14/2005	REV N: Not Held, Wt/FTA Ordered		BVG
U		PER JUDGE PDC, ADD \$100 WF EACH, REISSUE		
S		Accounts Receivable Changed to Authorized by BVG with Adjustment Code: CO BENCH Warrant Ordered Print on or after 01/14/2005 Warrant expires on 01/14/2009 BENCH Warrant Issued for Fail To Appear For Hearing Fail To Pay Fine Or Appear Cash Bail Only Bail: 505.00 + 0.00 Warrant Fee; Total Bail	505.00	
			505.00	SYS

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ABERDEEN MUNICIPAL COURT
D O C K E T

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DEFENDANT
PARMLEY, KENNETH VERL JR

CASE: C00047629 ABP
Criminal Traffic
Agency No.

TEXT - Continued

S	01/19/2005	Warrant Served	
	01/21/2005	Warrant Returned	DXP
		REV N Set for 02/11/2005 09:00 AM	
		in Room 1 with Judge PDC	
	01/27/2005	Collection Delay Date of 02/12/2005 Added	PJM
	02/11/2005	REV N: Not Held, Wt/FTA Ordered	BVG
U		DEF FTA AGAIN, ADD \$100 WF EACH REISSUE	
S		Accounts Receivable Changed to	605.00
		Authorized by BVG with Adjustment Code: CO	
		BENCH Warrant Ordered	
		Print on or after 02/11/2005	
		Warrant expires on 02/11/2009	
		BENCH Warrant Issued for	SYS
		Fail To Appear For Hearing	
		Fail To Pay Fine Or Appear	
		Cash Bail Only	
		Bail: 605.00 + 0.00 Warrant Fee; Total Bail	605.00
	03/03/2005	Warrant Served	BVG
		Warrant Returned	
		OTH JAIL Set for 03/03/2005 08:30 AM	
		in Room 1 with Judge PDC	
		OTH JAIL Rescheduled to 03/04/2005 08:30 AM	
		in Room 1 with Judge PDC	
		Case Obligation Selected for Collections	PJM
		Collections: 1st Notice Prepared	
	03/04/2005	OTH JAIL Rescheduled to 03/07/2005 08:30 AM	TAF
		in Room 1 with Judge PDC	
		Case Obligation Cleared from Collections	PJM
		Collection Delay Date of 03/09/2005 Added	
	03/07/2005	OTH JAIL: Held	BVG
		REV Y Set for 03/10/2005 02:30 PM	TAF
		in Room 1 with Judge PDC	
		Notice Issued for REV Y on 03/10/2005 02:30 PM	
	03/10/2005	REV Y: Held	BVG
		Case Obligation Selected for Collections	PJM
		Collections: 1st Notice Prepared	
U		DEF PAY \$725 OR STAY 29 DYS JAIL ON YO-41528, MORE TTP ON	TAF
		C47629/605, C47630/775, C47631/300, PYMTS BEGIN 5-10-05 150/M	
S	03/11/2005	Case Obligation Cleared from Collections	
		Case Scheduled on Time Pay Agreement 1 for:	1,680.00
	03/18/2005	Case Scheduled on Time Pay Agreement 1 for:	2,080.00
	04/24/2005	COMPLIANT Time Pay Statement Sent for Time Pay Agreement 1	SYS
U	04/28/2005	TTP STATEMENT RETD IN MAIL	PJM
S	05/23/2005	DELINQUENT Time Pay Statement Sent for Time Pay Agreement 1	SYS
U	06/14/2005	TTP STATEMENT RETD IN MAIL	PJM
S		Case Removed from Time Pay Agreement 249 30814 1	
		BENCH Warrant Ordered	
		Print on or after 06/14/2005	
		Warrant expires on 06/14/2009	

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ABERDEEN MUNICIPAL COURT
D O C K E T

PAGE: 4

DEFENDANT
PARMLEY, KENNETH VERL JR

CASE: C00047629 ABP
Criminal Traffic
Agency No.

TEXT - Continued

S 06/14/2005 BENCH Warrant Issued for
Fail To Pay Fine Or Appear
Cash Bail Only
Bail: 605.00 + 0.00 Warrant Fee; Total Bail 605.00
06/22/2006 Warrant Served
Warrant Returned
OTH JAIL Set for 06/22/2006 08:30 AM
in Room 1 with Judge PDC
OTH JAIL: Held
U PER JUDGE PDC, DEF TO PAY \$605 OR SERVE 12 DAYS C47629,
IF PD NEED. NOT APPEAR, DEF TO SERVE 5 DAYS NON-COMPLIANCE
EACH, MORE TTP, C47631, C48556, REPORT TO JAIL 07/26/06
3 PM, MORE TTP C47630
S Collection Delay Date of 09/30/2006 Added
6173100199 Partial Fine Payment Received 200.00 DXP
U 07/26/2006 APD CHANGED JL COMMIT TO 8/22/06 @ 3PM
S 08/22/2006 6235100004 Partial Fine Payment Received 205.00
U 08/23/2006 APD CHANGED JL COMMIT TO 9/19/06 @ 3PM
S 09/18/2006 6261100201 Fine Payment Paid in Full 200.00 PJM
FTA Adjudicated: Case Paid
Case Disposition of CL Entered
6261100202 Miscellaneous Payment Received 10.00
for COPY/TAPE FEES
U OFFICER BAGLEY ADVISED DEF PD THE P/S
S FTA adjudication automatically sent to DOL
U 09/19/2006 APD CHANGED JL COMMIT TO 10/04/06 @ 3PM
09/20/2006 PHONED DEF, TOLD CD READY FOR PICKUP
11/08/2006 LETTER ON JUDGE'S DESK FOR REVIEW
11/09/2006 PER JUDGE PDC, NO RESPONSE UNTIL DEF CLEARS 3 FTP WTS,
LETTER TO DEF

ACCOUNTING SUMMARY

	Total Due	Paid	Credit	Balance
Timepay: N	605.00	605.00		

COLLECTION STATUS

Status Date	Status Description	Cln Amt
03/11/2005	Cleared/Removed by User	605.00

ADDITIONAL CASE DATA

Case Disposition
Disposition: Closed
Date: 09/18/2006

Parties
Attorney BUTLER, DAVID P.

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ABERDEEN MUNICIPAL COURT
D O C K E T

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DEFENDANT
PARMLEY, KENNETH VERL JR

CASE: C00047629 ABP
Criminal Traffic
Agency No.

ADDITIONAL CASE DATA - Continued

Personal Description

Sex: [REDACTED] Race: [REDACTED] DOB: [REDACTED]
Dr.Lic.No.: [REDACTED] State: [REDACTED] Expires: [REDACTED]

Employer:

Height: 5 11 Weight: 175 Eyes: BRO Hair: BRO

Identifying Information: TAT R SHLD CELTIC CROSS/TAT BACK
CROSS OLYMPIA PORTRAIT OF HIS
MOTHER

Hearing Summary

Held	ARRAIGNMENT	ON 05/18/2004 AT 08:30 AM IN ROOM 1	WITH PDC
Held	IN CUSTODY	ON 10/22/2004 AT 08:30 AM IN ROOM 1	WITH PDC
Held	IN CUSTODY	ON 03/07/2005 AT 08:30 AM IN ROOM 1	WITH PDC
Held	REVIEW HEARING	ON 03/10/2005 AT 02:30 PM IN ROOM 1	WITH PDC
Held	IN CUSTODY	ON 06/22/2006 AT 08:30 AM IN ROOM 1	WITH PDC

End of docket report for this case

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HOQUIAM MUNICIPAL COURT
D O C K E T

PAGE: 1

DEFENDANT
PARMLEY, KENNETH VERL JR
[REDACTED]

CASE: 5-0000008 HCA
Criminal Non-Traffic
Agency No. 05-00122

Home Phone: 3607898135

AKA No aliases on file.

CHARGES

Violation Date: 01/16/2005

1 HOM5A.15.050 POSSESSION OF STOLEN
PROPERTY

DV Plea
N Not Guilty

Finding
Guilty

TEXT

S 01/26/2005 Case Filed on 01/26/2005
01/27/2005 DEF 1 PARMLEY, KENNETH VERL JR Added as Participant
ARR SUM Set for 02/08/2005 09:00 AM
in Room 1 with Judge WJS
Notice Issued for ARR SUM on 02/08/2005 09:00 AM
02/08/2005 ARR SUM: Not Held. Wt/FTA Ordered
BENCH Warrant Ordered
Print on or after 02/08/2005
Warrant expires on 02/08/2008
BENCH Warrant Issued for
Fail To Appear For Hearing
Bail: 1,500.00 + 50.00 Warrant Fee; Total Bail 1,550.00
11/08/2005 BON 1 NORTHWEST SURETY Added as Participant
05318100021 Appearance Bond Posted for DEF 1 1,500.00
Posted by: NORTHWEST SURETY
05318100021 Appearance Bond Adjusted -1,500.00
Authorized by: BYE
U ENTERED ABOVE ON WRONG CASE/PERSON NUMBER S/B 5-0088 STEEN
S 06/22/2006 Warrant Quashed
ARR Set for 06/27/2006 09:00 AM
in Room 1 with Judge WJS
Accounts Receivable Created 50.00
U ABOVE IS A WARRANT FEE ONLY
SIGNED FOR NEXT COURT DATE
S 6173100140 Fine Payment Paid in Full 50.00
ARR Rescheduled to 07/11/2006 09:00 AM
in Room 1 with Judge WJS
Accounts Receivable Changed to 50.00
Authorized by BYE
6173100143 Fine Payment Paid in Full 50.00
U ABOVE IS WARRANT FEE ONLY
ERROR IN ENTERING 100 WARRANT FEE.
S 06/23/2006 Warrant Returned
U 07/10/2006 T/C FROM DOC SHELTON: WILL BE INCARCERATED UNTIL 7/21/06
S 07/11/2006 ARR Y Set for 07/25/2006 09:00 AM
in Room 1 with Judge WJS
ARR: Held
07/12/2006 Notice Issued for ARR Y on 07/25/2006 09:00 AM
07/25/2006 Defendant Arraigned on Charge 1

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HOQUIAM MUNICIPAL COURT
D O C K E T

PAGE: 2

DEFENDANT
PARMLEY, KENNETH VERL JR

CASE: 5-0000008 HCA
Criminal Non-Traffic
Agency No. 05-00122

TEXT - Continued

S 07/25/2006 Plea/Response of Not Guilty Entered on Charge 1 BYE
U DEFENDANT WAIVES JURY TRIAL.
COURT APPOINTED ATTORNEY DENIED DUE TO INCOME LEVEL
S PTR Y Set for 08/29/2006 01:30 PM
in Room 1 with Judge WJS
ARR Y: Held
Notice Issued for PTR Y on 08/29/2006 01:30 PM
08/29/2006 Finding/Judgment of Guilty for Charge 1
Case Heard Before Judge STEWART, WILLIAM J
Judge Presiding STEWART, WILLIAM J Imposed Sentence
Court Imposes Jail Time of 90 Days on Charge 1
with 90 Days Suspended, and
0 Days Credit for time served
Charge 1: Def. complied with Jail Sentence
Total Imposed on Charge 1: 1,000.00
with 700.00 Suspended
And 0.00 Other Amount Ordered
Law abiding behavior : 1 Y
Accounts Receivable Changed to 300.00
Authorized by BYE
6241100050 Partial Fine Payment Received 25.00
Case Scheduled on Time Pay Agreement 1 for: 275.00
PTR Y: Held
08/30/2006 COMPLIANT Time Pay Statement Sent for Time Pay Agreement 1 SYS
09/18/2006 6261100030 Time Payment Received 30.00 BYE
09/20/2006 COMPLIANT Time Pay Statement Sent for Time Pay Agreement 1 SYS
10/25/2006 DELINQUENT Time Pay Statement Sent for Time Pay Agreement 1
11/22/2006 DELINQUENT Time Pay Statement Sent for Time Pay Agreement 1
12/18/2006 SHO Y Set for 01/30/2007 10:00 AM BJJ
in Room 1 with Judge WJS
12/20/2006 DELINQUENT Time Pay Statement Sent for Time Pay Agreement 1 SYS
12/21/2006 Notice Issued for SHO Y on 01/30/2007 10:00 AM BYE
01/24/2007 DELINQUENT Time Pay Statement Sent for Time Pay Agreement 1 SYS
01/25/2007 Case Removed from Time Pay Agreement 249 30814 1 BYE
Case Obligation Selected for Collections
Collections: 1st Notice Prepared
01/30/2007 SHO Y: Not Held, Wt/FTA Ordered
U KEEP COLLECTIONS ASSIGNMENT
S 03/28/2007 Case Obligation Assigned to DYNAMIC COLLECTORS INC for Collec
tions
U 08/14/2009 REC'D NOTICE OF CHAPTER 7 BANKRUPTCY FILED 8/4/09
CASE 09-45668 PBS
WESTERN DISTRICT
COPY SENT TO COLLECTION AGENTS
S BNK : Bankruptcy
U 12/10/2009 RC'D DISCHARGE OF DEBTOR FROM BANKO COURT
S REV JR Set for 12/22/2009 10:01 AM
in Room 1 with Judge WJS
12/22/2009 REV JR: Held BJV

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HOQUIAM MUNICIPAL COURT
D O C K E T

PAGE: 3

DEFENDANT
PARMLEY, KENNETH VERL JR

CASE: 5-0000008 HCA
Criminal Non-Traffic
Agency No. 05-00122

TEXT - Continued

U 12/22/2009 JUDGE REVIEWED BANKO/WAIVED/CLOSED
S 01/14/2010 Accounts Receivable Changed to
Authorized by BYE with Adjustment Code: W0
Case Obligation Removed from Collections
Case Disposition of CL Entered

BYE

0.00

ACCOUNTING SUMMARY

	Total Due	Paid	Credit	Balance
Timepay: N	155.00	155.00		

COLLECTION STATUS

Status Date	Status Description	Cln Amt
01/14/2010	Cleared/Removed, Full Adjustment	

ADDITIONAL CASE DATA

Case Disposition
Disposition: Closed

Date: 01/14/2010

Parties

Bondsman NORTHWEST SURETY

Personal Description

Sex: M Race: W
Dr.Lic.No.: State: WA Expires: 2021
Employer:
Height: 5 11 Weight: 175 Eyes: BRO Hair: BRO
Identifying Information:

Hearing Summary

Held	ARRAIGNMENT	ON 07/11/2006 AT 09:00 AM IN ROOM 1	WITH WJS
Held	ARRAIGNMENT	ON 07/25/2006 AT 09:00 AM IN ROOM 1	WITH WJS
Held	PRE TRIAL	ON 08/29/2006 AT 01:30 PM IN ROOM 1	WITH WJS
Held	JUDGES REVIEW	ON 12/22/2009 AT 10:01 AM IN ROOM 1	WITH WJS

End of docket report for this case

DEFENDANT
PARMELEY, KENNETH VERL JR
6814 MARTIN WAY E #10
LACEY WA 98516-5571
AKA No aliases on file.
OFFICER
24747 JCS WELL, JAMES

CHARGES
Violation Date: 05/09/2013
FAIL TO TRANSFER TITLE
N
DV Plea
Finding
Guilty
Dismissed
2 46.20.342.10
DULS 3RD DEGREE
N

TEXT

S 05/09/2013 Received ticket 3Z0114552 @ 07:07 PM by designated computer
05/10/2013 Case filed on 05/10/2013
05/16/2013 DEF 1 PARMELEY, KENNETH VERL JR added as Participant
OFF 1 WELL, JAMES added as Participant
ARR set for 06/03/2013 01:30 PM
in Room 1 with Judge JIL
Case linked to electronic ticket 3Z0114552
Notice issued for ARR on 06/03/2013 01:30 PM
U 06/03/2013 DEFENDANT FAILS TO APPEAR.
ST-NORMAN. COURT ORDERS BENCH WRT IN THE AMOUNT OF \$5000
BENCH warrant ordered
Print on or after 06/03/2013
warrant expires on 06/03/2016
FTA ordered
BENCH warrant issued for
Fail to Pay Fine or Appear
Bail: 5,000.00 + 100.00 Warrant Fee; Total Bail
5,100.00
FTA Issued, Amount Due
ARR: Held
U 08/06/2013 LETTER FROM DEF - CURRENTLY IN THURSTON CO JAIL - TO TJB
08/08/2013 EXPARTE RESPONSE THIS DAY
1150AM ATTY HACK ADV HE IS DEF'S ATTY IN THURSTON CO, WOULD
08/23/2013
TJB
08/08/2013
TJB
08/23/2013
TJB
01/22/2013 LETTER FROM DEF - TO TJB
01/22/2014 LETTER FROM DEF - TO TJB
01/27/2014 EXPARTE RESPONSE INFORMING HIM TO POST BAIL IF HE WANTS A
TJB
S 02/21/2014 OTH QWRT set for 02/21/2014 01:15 PM
MEM
in Room 2 with Judge RP
U 031PM ATTY JACOB CALLED TO HAVE DEF PUT ON 2/24 CALENDAR
OAK
FOR CHANGE OF PLEA. HE WILL NOTIFY PRO.
OTH XX set for 02/24/2014 01:15 PM
S
in Room 2 with Judge JIL
DEF APPEARS OVER VIDEO FROM JAIL
U

Docket continued on next page

DD7020SX MEM
09/25/2017 2:06 PM

JEFFERSON DISTRICT COURT
D O C K E T

PAGE: 2

DEFENDANT
PARMLEY, KENNETH VERL JR

CASE: 3Z0114552 JCS
Criminal Traffic
Agency No. 13-04705

TEXT - Continued

U 02/21/2014 ST-BROTHERTON. ATTY JACOB. COURT SETS BAIL IN THE AMOUNT OF \$5000 AND ORDERS NOT TO DRIVE W/O LIC & INS OR VALIDLY TRANSFERRED TITLE; DEF TO CLEAR ANY & ALL OUTSTANDING WARRANTS PRIOR TO NEXT HRG.
CONDITIONS OF RELEASE
ORDER ASSIGNING LAWYER
S Warrant Quashed MEM
OTH QWRT: Held AFR
02/24/2014 Warrant Returned MEM
FTA Adjudicated: Court Appearance Scheduled
U SIGNED ACKNOWLEDGMENT OF DEF'S RIGHTS
SIGNED COR
SIGNED ORDER ASSIGNING LAWYER
S FTA adjudication automatically sent to DOL SYS
U DEF APPEARED OVER VIDEO MEM
STATE-NORMAN. ATTY JACOB
DEF PLEADS GUILTY TO CHARGE 1 AND STATE WILL DISMISS CHARGE 2 AS PART OF PLEA. JIL FINDS FACTUAL BASIS FOR PLEA AND SENTENCES
STATEMENT OF DEFENDANT ON PLEA OF GUILTY
STATE MAKES NO RECOMMENDATION. ATTY JACOB REQUESTS CREDIT FOR TIME SERVED
S Charge 2 Dismissed : Motion of Party
Case Heard Before Judge LANDES, JILL I
Finding/Judgment of Guilty for Charge 1
Case Heard Before Judge LANDES, JILL I
Judge LANDES, JILL I Imposed Sentence
Court Imposes Jail Time of 4 Days on Charge 1 with 0 Days Suspended, and 4 Days Credit for time served
U NO FINES OR FEES IMPOSED
JUDGMENT AND SENTENCE
S OTH XX: Held
U 02/25/2014 MOTION AND ORDER TO WITHDRAW CAK
NOTICE OF APPEARANCE
S ATY 1 DAVIES, RICHARD LLEWELLYN Added as Participant
Charge 1: Def. complied with Jail Sentence MEM
U SIGNED JUDGMENT AND SENTENCE
S Disposition sent electronically to DOL SYS
12/04/2014 Accounts Receivable Created 0.00 MEM
Case Disposition of OL Entered
U 09/25/2017 JODC REQUEST FOR INFORMATION - CASPER FOREST

ADDITIONAL CASE DATA

Case Disposition

Disposition: Closed

Date: 12/04/2014

Parties

Attorney

DAVIES, RICHARD LLEWELLYN

Docket continued on next page

DD7020SX MEM
09/25/2017 2:06 PM

JEFFERSON DISTRICT COURT
D O C K E T

PAGE: 3

DEFENDANT
PARMLEY, KENNETH VERL JR

CASE: 320114552 JCS
Criminal Traffic
Agency No. 13-04705

ADDITIONAL CASE DATA - Continued

Personal Description

Sex: M Race: W DOB: 12/05/1960
Dr.Lic.No.: PARMLKV409RE State: WA Expires: 2021
Employer:
Height: 5 11 Weight: 175 Eyes: BRO Hair: BRO
Identifying Information: TAT R SHLD CELTIC CROSS/TAT BACK
CROSS OLYMPIA PORTRAIT OF HIS
MOTHER

Hearing Summary

Held	ARRAIGNMENT	ON 06/03/2013 AT 01:30 PM IN ROOM 1	WITH JIL
Held	QUASH WARRANT	ON 02/21/2014 AT 01:15 PM IN ROOM 2	WITH RP
Held	CHANGE OF PLEA	ON 02/24/2014 AT 01:15 PM IN ROOM 2	WITH JIL

End of docket report for this case



Confidential - Not for Release

Docket Information for Case:

C00017672 LYP CT

Court: THURSTON COUNTY DIST (THD)

Help

Note:

Date	Description	User
03/13/2006	Case Filed on 03/13/2006	MXG
	DEF 1 PARMLEY, KENNETH VERL JR Added as Participant	MXG
	OFF 1 WESTPHAL, KENNETH Added as Participant	MXG
	ARR MAND Set For 03/13/2006 01:30 PM In Room 4	MXG
	Vehicle Linked to PARMLEY, KENNETH VERL JR	MXG
	DEF PRES PRO-SE FOR ARR; JUDGE CLS; LCA MALTBY	SXR
	***** PC ESTABLISHED *****	SXR
	CAC REQUESTED; UNDERWOOD APPT'D. PTR SET; NOTICE GIVEN TO	SXR
	DEF. DEF TO PAY \$200 CAC FEE. REL CONDS: NAD, NO BAC	SXR
	REFUSAL, NLI, NCR, DRIVE W/BAC. 08>. DEF TO WORK TOWARDS	SXR
	GETTING ALL WARRANTS CLEARED. CR3-PM	SXR
	Defendant Arraigned on Charge 1	SXR
	Plea/Response of Not Guilty Entered on Charge 1	SXR
	Defendant Arraigned on Charge 2	SXR
	Plea/Response of Not Guilty Entered on Charge 2	SXR
	ARR MAND: Held	SXR
03/15/2006	PTR NN Set for 04/11/2006 08:00 AM in Room 1 with Judge SAD	SXR
	ATY 1 UNDERWOOD, MICHAEL JOSEPH Added as Participant	SXR
	Accounts Receivable Created 200.00	SXR
03/29/2006	DP EVALUATION FILED IN CRTFILE	AET
04/11/2006	DEF PRES W/ATY UNDERWOOD FOR PTR; JUDGE SAD; LCA SVOBODA	SXR
	PTR RESET; NOTICE HANDED TO DEF. CR1-AM	SXR
	PTR NN Set for 04/25/2006 08:00 AM in Room 1 with Judge SAD	SXR
	PTR NN: Held	SXR
04/25/2006	DEF PRES W/ATY UNDERWOOD FOR PTR HRNG; JUDGE SAD; LCA MALTBY.	BKS
	COURT DENIES DEFERRED PROSECUTION UNTIL DEF HAS CLEARED ALL	BKS
	WARRANTS. PTR RESET; NOTICE HANDED TO DEF. CR1-AM	BKS
	DEPENDANT WAIVES SPEEDY TRIAL TO 11/30/06.	BKS
	PTR NN: Held	BKS
04/27/2006	PTR NN Set for 06/27/2006 08:00 AM in Room 2 with Judge CLS	BKS
06/27/2006	DEFT PRES W/ATY UNDERWOOD FOR PTR; JUDGE CLS; LCA SVOBODA.	LMS
	ATD'S REQ, PTR TO RESET 6 WEEKS; NOTICE HANDED TO DEFT.	LMS
	CR2-AM	LMS
	PTR NN Set for 08/08/2006 08:00 AM in Room 2 with Judge CLS	LMS
	PTR NN: Not Held, Hearing Canceled	LMS
	OTH MTN: Held	LMS
07/26/2006	DEFTS WIFE CALLED; ADV OF HEARING DATE AND TIME.	JRM
08/08/2006	DEF PRES W/ATY UNDERWOOD FOR PTR; JUDGE CLS; LCA SVOBODA.	BKS
	ATD REQUEST FOR CONTINUANCE GRANTED. PTR RESET; NOTICE	BKS
	HANDED TO DEF. CR2-AM	BKS
	PTR NN Rescheduled to 09/05/2006 08:00 AM in Room 2 with Judge CLS	BKS
09/05/2006	DEF NOT PRES FOR PTR; ATY UNDERWOOD; JUDGE PRO TEM ROSEN;	BKS
	ATD REQUEST FOR CONTINUANCE GRANTED. PTR TO BE RESET; NOTICE	BKS
	TO BE MAILED. CR2-AM	BKS
	PTR NN: Not Held, Hearing Canceled	BKS
	OTH MTN: Held	BKS
09/06/2006	PTR Set for 09/26/2006 08:00 AM in Room 1 with Judge SAD	BDG
	Notice Issued for PTR on 09/26/2006 08:00 AM	BDG
09/08/2006	THIRD PARTY CALLED; ADV OF HRNG DATE AND TIME.	SAR
	DEFT CALLED; ADV OF CONTINUANCE GRANTED AND HRNG TIME AND	SAR
	DATE.	SAR
09/26/2006	Accounts Receivable Changed to 1,546.00 Authorized by SSR	SSR
	Case Scheduled on Time Pay Agreement 1 for: 1,546.00	SSR

Cox Appendix 070

	TPA SET TO PAY \$50/MO BEG 10/26/06.0	SSR
	DEFT PRESENT W/ATTY FLOWERBIRD FOR UNDERWOOD FOR PTR; JUDGE	MXG
	SAD; LCA SVOBODA. 2 YR JURISD AND SUPERVISED PROBATION ON	MXG
	CONDS AS LISTED. PENALTY INCLUDES \$698 FINE, \$43 CFD, \$480	MXG
	PROBATION, \$125 BAC. CHARGE 2 DISMISSED ON LCA MOTION. DEFT	MXG
	LICENSE PUNCHED. CR1-AM	MXG
	Finding/Judgment of Guilty for Charge 1	MXG
	Case Heard Before Judge DUBUISSON, SUSAN A	MXG
	Judge DUBUISSON, SUSAN A Imposed Sentence	MXG
	Court Imposes Jail Time of 365 Days on Charge 1 with 364 Days Suspended, and 0 Days Credit for time served	MXG
	Total Imposed on Charge 1: 698.00with 0.00 Suspended And 648.00 Other Amount Ordered	MXG
	No Violations for 1 Year : 2 Y	MXG
	NV1 Review Set for 09/26/2008	MXG
	DUA : DUI:Lic/insr/no > .08 or refus	MXG
	1) Not drive veh w/in st w/out a lic & proof of fin resp; 2) Not drv veh w/in st w/BAC >=.08 w/in 2 hrs after driving; 3) Not refuse BAC tst when law enf has reas grnds to believe theperson was und infl while driving or phys cont of veh w/in st.	MXG
	NAD : No Alcohol or Drugs	MXG
	NAE : No frequenting alcohol est.	MXG
	II : DUI Ignition Interlock	MXG
	VIC : Victims Panel	MXG
	AAO : Alcohol Assessment	MXG
	PRF : Probation Fee Assessed	MXG
	ACT : Active Supervised Probation	MXG
	ACT Review Set for 09/26/2008	MXG
	Charge 2 Dismissed W/Prejudice : Cty's Mtn-Other	MXG
	Case Heard Before Judge DUBUISSON, SUSAN A	MXG
	Breath Test Used to Obtain BAC: Blood Alcohol Content: 0.12	MXG
	PTR: Held	MXG
	NOTICE OF INTENT TO WITHDRAW FILED BY ATTY UNDERWOOD.	MXG
09/28/2006	PRB 1 BALL, THOMAS M Added as Participant	AET
12/29/2006	6363100448 Time Payment Received 20.00	VDK
02/12/2007	VIOL REPORT FILED BY PO HRG TO BE SET NOTICE MAILED	AET
02/13/2007	ATY 1 UNDERWOOD, MICHAEL JOSEPH Removed	BDG
	OTH PRE Set for 03/08/2007 11:00 AM in Room 1 with Judge SAD	BDG
02/14/2007	Notice Issued for OTH PRE on 03/08/2007 11:00 AM	MGL
03/05/2007	VIOL REPORT FILED BY PO	AET
03/08/2007	7066101731 Time Payment Received 150.00	SAR
	DEF PRES PRO SE FOR PRE FTC; JUDGE SAD; LCA MALTBY.	BKS
	MOTION TO REVOKE NOT FILED BY LCA. DEF IN COMPLIANCE. ALL	BKS
	PRIOR IMPOSED CONDS REMAIN. CR1-AM	BKS
	OTH PRE: Held	BKS
05/04/2007	Case Removed from Time Pay Agreement 249 30814 1	SKC
05/07/2007	Case Obligation Selected for Collections	SKC
05/08/2007	Collections: 1st Notice Prepared	SKC
06/21/2007	Case Obligation Assigned to EQUIFAX CRDT INFO SVCS INC DBA for Collections	SKC
11/08/2007	DEFT AT COUNTER; ADV TO CONTACT NCO	BMB
01/10/2008	VIOL REPORT FILED BY PO ADDRESS UPDATE HRG TO BE SET NOTICE MAILED	AET
		AET
01/11/2008	OTH PRE Set for 01/31/2008 11:00 AM in Room 2 with Judge CLS	BDG
	Notice Issued for OTH PRE on 01/31/2008 11:00 AM	BDG
01/14/2008	MAIL RETURN ON SUMMONS FOR HEARING - FORWARDING TIME EXP	BDG
	REMAILED THIS DATE TO ADDR OFF UPDATED ENVL P FROM PO	BDG
01/15/2008	DEF CALLED - CONFIRMED NEXT COURT DATE	BDG
	FTA Ordered	BDG
	ALSO REFERRED TO NCO RE: FINE PYMNT	BDG
01/16/2008	FTA Issued, Amount Due 1,376.00	SYS
01/23/2008	UPDATE FILED BY PO	AET

01/30/2008	UPDATE FILED BY PO	AET
01/31/2008	DEF PRES PRO-SE FOR PRE-FTC; JUDGE MBB; LCA SVOBODA	SXR
	DEF STIPS TO VIOLATION. 10 HRS CSE IMPOSED FOR FTC. DEF	SXR
	TO HAVE PROOF BY 3/6/08. CR2-AM	SXR
	MOTION AND AFFIDAVIT TO REVOKE PROBATION FILED BY LCA SVOBODA	SXR
	Community Service : 10 H	SXR
	PRO : Probation	SXR
	PRO Review Set for 03/06/2008	SXR
	OTH PRE: Held	SXR
	Community Service : 10 H	AET
	PRO : Imposed on 01/31/2008 canceled	AET
	Review set for PRO on 03/06/2008 canceled	AET
	Community Service : 10 H	AET
02/13/2008	8044100293 Partial Fine Payment Received 35.00	SKC
	RECEIVED PAYMENT FROM NCO FS	SKC
03/06/2008	VIOL REPORT FILED BY PO ADDRESS UDPATE HRG TO BE SET NOTICE	AET
	MAILED	AET
03/10/2008	OTH PRE Set for 03/27/2008 11:00 AM in Room 2 with Judge CLS	BDG
	Notice Issued for OTH PRE on 03/27/2008 11:00 AM	BDG
03/17/2008	MAIL RETURN ON SUMMONS FOR HEARING - FORWARDING TIME EXP	BDG
	REMAILED TO DEF AT ADDR ON ENVL P	BDG
03/19/2008	UPDATE FILED BY PO	AET
03/27/2008	DEF PRES PRO SE FOR PRE FTC; JUDGE PRO TEM GJR; LCA SCHNEIDER	BKS
	MOTION & AFFIDAVIT TO REVOKE FILED BY LCA SCHNEIDER. CAC	BKS
	REQUEST; ATY HOFFMAN APPT'D. PRE FTC SET; NOTICE HANDED	BKS
	TO DEF. ALL PRIOR IMPOSED CONDS REMAIN. CR2-AM	BKS
	OTH PRE: Held	BKS
03/31/2008	OTH PRENN Set for 07/01/2008 08:00 AM in Room 1 with Judge SAD	BKS
	ATY 2 HOFFMAN, LAWRENCE ERNEST Added as Participant	BKS
05/16/2008	DEF CALLED; ADV ON COLLECTIONS	AGR
05/27/2008	PER FAX FROM NCO FS; DEFT ENTERED PAYMENT PLAN.	SKC
	FTA Adjudicated: Case Paid	SKC
	FTA adjudication automatically sent to DOL	SYS
06/06/2008	8158100490 Partial Fine Payment Received 328.41	SKC
	RECEIVED PAYMENT FROM NCO FS	SKC
06/23/2008	UPDATE FILED BY PO	AET
07/01/2008	DEFT PRES W/ATY HOFFMAN FOR PRE FTC; JUDGE SAD; LCA SVOBODA.	TMG
	DEFT STIPS TO VIOL. DEFT IS NOW INCOMPLAINCE. DEFT TO	TMG
	TAKE CARE OF WARRANTS W/ABREDEEN AND KITSAP COUNTY. NO	TMG
	SANCTION IMPOSED IF DEFT QUASHES WARRANTS FROM THESE	TMG
	COUNTIES. REV HRG SET; NOTICE HANDED TO DEFT. CR1-AM	TMG
	OTH PRENN: Held	TMG
07/02/2008	REV NN Set for 09/09/2008 08:00 AM in Room 1 with Judge SAD	TMG
07/09/2008	8191100477 Partial Fine Payment Received 105.00	SKC
	RECEIVED PAYMENT FROM NCO FS	SKC
	8191100532 Partial Fine Payment Received 105.00	SKC
	RECEIVED PAYMENT FROM NCO FS	SKC
	8191100532 Receipt reversed -105.00 Authorized by: SKC	SKC
	ABOVE REVERSAL MADE AS ONLY ONE PAYMENT OF \$105 WAS MADE.	SKC
07/31/2008	8213100237 Partial Fine Payment Received 105.00	SKC
	RECEIVED PAYMENT FROM NCO FS	SKC
09/02/2008	UPDATE FILED BY PO	AET
09/09/2008	DEF PRES W/ATY HOFFMAN FOR REV; JUDGE PRO TEM CEW; LCA	BKS
	SCHNEIDER. DEF FOUND TO BE IN VIOLATION AND NOW IN	BKS
	COMPLIANCE NO FURTHER ACTION TAKEN. ALL PRIOR IMPOSED	BKS
	CONDS REMAIN. CR1-AM	BKS
	REV NN: Held	BKS
09/12/2008	8256101035 Partial Fine Payment Received 98.50	SKC
	RECEIVED PAYMENT FROM NCO FS	SKC

09/29/2008	PER PO PROB FILE CLOSED	AET
	Defendant Complied with DUI Ignition Interlock	AET
	Defendant Complied with Victims Panel	AET
	Defendant Complied with Alcohol Assessment	AET
10/20/2008	8294100799 Partial Fine Payment Received 105.00	SKC
	RECEIVED PAYMENT FROM NCO FS	SKC
11/10/2008	PRB 1 BALL, THOMAS M Removed	AET
11/13/2008	8318100948 Partial Fine Payment Received 109.54	SKC
	RECEIVED PAYMENT FROM NCO FS	SKC
12/29/2008	8364100443 Partial Fine Payment Received 98.50	SKC
	RECEIVED PAYMENT FROM NCO FS	SKC
01/27/2009	9027100841 Partial Fine Payment Received 105.00	SKC
	RECEIVED PAYMENT FROM NCO FS	SKC
02/04/2009	PER FAX FROM NCO FS; DEFT PIF.	SKC
02/12/2009	Case Obligation Removed from Collections	SKC
	9043100944 Fine Payment Paid in Full 286.05	SKC
	RECEIVED PAYMENT FROM NCO FS	SKC
02/13/2009	Charge 1: Def. complied with Jail Sentence	MGL
	Defendant Complied with No Violations for 1 Year	MGL
	Defendant Complied with DUI:Lic/inst/no > .08 or refus	MGL
	Defendant Complied with No Alcohol or Drugs	MGL
	Defendant Complied with No frequenting alcohol est.	MGL
	Defendant Complied with Probation Fee Assessed	MGL
	Defendant Complied with Active Supervised Probation	MGL
	Defendant Excused/Walved for Community Service	MGL
	Case Disposition of CL Entered	MGL
04/13/2015	Criteria met for case file to be destroyed, Included on Destruction of Records Report	SYS
09/19/2017	3RD PARTY SUBMITTED RECORD RQST @ COUNTER, FWD TO REC CLERK.	KRS
10/02/2017	COPY OF DOCKET EMAILED TO REQUESTOR	JXC

FILED
JUN - 4 2013
DISTRICT COURT
GRAYS HARBOR COUNTY

GRAYS HARBOR COUNTY DISTRICT COURT I

STATE OF WASHINGTON,

Plaintiff,

v.

KENNETH V. PARMLEY,
DOB: 12-05-1960

Defendant.

No.: 203181

CRIMINAL COMPLAINT

Agency No.: WSP

STATE OF WASHINGTON)
GRAYS HARBOR COUNTY) ss.

The undersigned, under penalty of perjury, certifies the following:

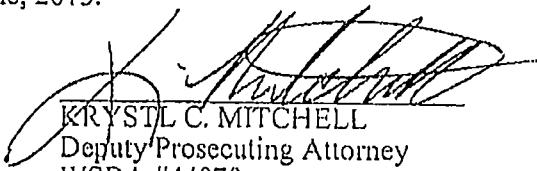
1.1 : I am a Deputy Prosecuting Attorney for Grays Harbor County.

1.2 That I have reasonable grounds to believe, and do believe, the defendant committed the crime(s) of DRIVING UNDER THE INFLUENCE OF ALCOHOL AND/OR DRUGS, as follows:

On or about February 21, 2013, in the County of Grays Harbor, State of Washington, the above-named defendant did drive a vehicle while under the influence of or affected by intoxicating drugs;

CONTRARY TO RCW 46.61.502(1) and against the peace and dignity of the State of Washington.

DATED this 4 day of June, 2013.


KRYSTL C. MITCHELL
Deputy Prosecuting Attorney
WSBA #44070

KCM/ws

CRIMINAL COMPLAINT -1-

II. STEWARD MENESEE
PROSECUTING ATTORNEY
GRAYS HARBOR COUNTY COURTHOUSE
102 WEST BROADWAY, ROOM 102
MONTESANO, WASHINGTON 99502

Cox Appendix 074

FILED
DEC 16 2015
DISTRICT COURT
GRAYS HARBOR COUNTY

GRAYS HARBOR COUNTY DISTRICT COURT

STATE OF WASHINGTON,

v.

Plaintiff,

No. 2013 181

KENNETH V. PARMLEY, JR.
Defendant.

FINDINGS AND ORDER GRANTING
DEFERRED PROSECUTION

I. BASIS

- 1.1 The defendant has filed a Petition for Order Granting Deferred Prosecution with the court pursuant to Ch. 10.05 RCW.

II. FINDINGS

- 2.1 An assessment prepared pursuant to Ch. 10.05 RCW recommends treatment of the defendant for alcoholism and proposes a treatment plan in accord with the requirements of RCW 10.05;
- 2.2 The defendant has agreed to comply with the terms and conditions of the plan and has agreed to pay the costs of treatment if financially able to do so;
- 2.3 The defendant has stipulated to the admissibility and sufficiency of facts as contained in the written police reports;
- 2.4 The defendant has acknowledged the admissibility of the stipulated facts in any criminal hearing on the underlying offense or offenses held subsequent to revocation of the order granting deferred prosecution;
- 2.5 The defendant has acknowledged, and waived the right to testify, the right to a speedy trial, the right to confront and cross-examine the prosecution's witnesses, the right to call witnesses to testify for the defense, the right to present evidence in his or her defense, and the right to a jury trial;
- 2.6 The defendant has acknowledged and agreed that the defendant's statements, stipulations and acknowledgment were made knowingly, intelligently and voluntarily.
- 2.7 The court reviewed the defendant's case history on the state judicial information system and abstract of driving record maintained by the state department of licensing as of the date of this order. The defendant has not previously been granted a deferred prosecution pursuant to Chapter 10.05 RCW in a traffic-related case.

2.8 ☐ BAC .08 to .14 ☐ BAC .15+ ☐ Refusal ☐ No BAC ☒ Drug related ☐ Non-alcohol related ☐ Passenger under age 16. *BLOOD DRAW*

III. ORDER

3.1 IT IS ORDERED that the defendant is accepted for deferred prosecution pursuant to Chapter 10.05 RCW and this matter is continued for a period of three (3) years after receiving proof of successful completion of the two-year treatment program, but not less than five (5) years from the date of this order, on the following conditions:

- (a) The defendant shall participate in and successfully complete the treatment plan on file with the court;
- (b) The defendant shall abstain from all use of alcohol and drugs;
- (c) The defendant shall attend the weekly alcoholism/drug addiction self-help recovery group meetings required by the treatment plan and Ch. 10.05 RCW;
- (d) The defendant shall not commit any similar offenses, including, but not limited to, DUI, Physical Control, Negligent Driving 1st Degree, Reckless Driving, Reckless Endangerment, and Minor Operating Vehicle after Consuming Alcohol, Vehicular Homicide, Vehicular Assault;
- (e) The defendant shall maintain law abiding behavior;
- (f) The defendant shall bear all costs of the treatment program;
- (g) The defendant shall not operate a motor vehicle upon a public highway without a valid operator's license and liability insurance in an amount required by RCW 46.29.490;
- (h) If the defendant holds a commercial driver's license, this deferred prosecution is considered a conviction under RCW 46.25.010 and the defendant will be disqualified from driving a commercial motor vehicle. RCW 46.25.090. The defendant is required to notify the Department of Licensing and defendant's employer of this Order Granting Deferred Prosecution within 30 days after the judge signs this document. RCW 46.25.030.
- (i) The defendant shall attend a "DUI Victim Impact Panel" approved by the Probation Department within 90 days and pay the cost for such attendance;
- (j) The defendant shall be under supervision of District Court Probation and shall pay scheduled supervision fees; shall immediately notify District Court Probation in writing of any change of residence and mailing addresses; shall report to District Court Probation as required; shall submit to UA and BAC tests as requested by probation, with the costs of such tests being added to scheduled probation fees;

(k) The defendant shall pay the RCW 46.61.5054 fee assessment of \$200.00 (☐125.00 if violation date prior to 7-22-2011);

(l) The defendant, if represented by court appointed attorney, shall pay \$125.00 as attorney fee recoupment;

(m) The defendant shall comply with the rules and requirements of the Department of Licensing regarding the installation and use of a functioning ignition interlock device installed on all motor vehicles operated by the person. The defendant is solely responsible for the costs of installation and use of ignition interlock devices.

☐ (n) The defendant shall submit to alcohol monitoring through an alcohol detection breathalyzer device, transdermal sensor device, or other technology designed to detect alcohol in a person's system for a period of _____. The defendant shall pay for the costs of the monitoring.

☐ (o) The defendant shall pay restitution through the clerk of the court as follows:
\$_____ for the benefit of: _____
and as may be further ordered by the court.

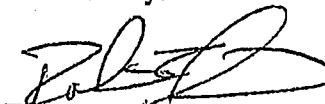
☒ (p) The defendant shall pay \$_____ (82.7740) / (307.44) for W.S.P. / G.H.S.O. emergency response reimbursement, through the clerk of the court.

3.2 IT IS FURTHER ORDERED that upon presentation of proof of successful completion of the treatment plan and compliance with all conditions of this order, the charges herein will be dismissed; upon proof of a violation of the treatment plan or any condition of this order, the defendant may be removed from deferred prosecution, and the court shall make findings of fact upon review of the stipulated reports, and shall enter judgment pursuant to Ch. 10.05 RCW.

DATED: 12/16/15


JUDGE

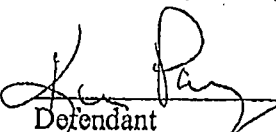
Presented by:


35384
Attorney for Defendant & WSBA#

Approved for entry/as to form:

Attorney for Plaintiff & WSBA#

I acknowledge receipt of a copy of this order:


Defendant

DD7020SX KAG
09/19/2017 3:34 PM

#1 GRAYS HARBOR DISTRICT COURT
D O C K E T

PAGE: 1

DEFENDANT
PARMLEY, KENNETH VERL JR
6814 MARTIN WAY E #10
LACEY WA 98516-5571

CASE: 2013181 WSP
Criminal Traffic
Agency No.

Home Phone: 3607898135

AKA No aliases on file.

CHARGES

Violation Date: 02/21/2013
1 46.61.502 DUI

DV Plea Finding
N Not Guilty Deferred Prosecut

TEXT

S 06/04/2013 Case Filed on 06/04/2013 LDF
06/05/2013 DEF 1 PARMLEY, KENNETH VERL JR Added as Participant
SPA 1 PROSECUTOR'S OFFICE, GRAYS HARBO Added as Participant
U CRIMINAL COMPLAINT INFORMATION LKB
MOTION AND DECLARATION FOR ORDER DIRECTING ISSUANCE
OF SUMMONS FILED BY DPA MITCHELL
ORDER DIRECTING ISSUANCE OF SUMMONS
S OTH YDUI Set for 06/17/2013 09:00 AM
in Room 202 with Judge SEB
06/07/2013 Notice Issued for OTH YDUI on 06/17/2013 09:00 AM BNR
U 06/13/2013 NOTICE RETURNED, REMAILED TO ADDRESS ON DOL
06/17/2013 DEFT NOT PRESENT, JUDGE SEB PRESIDING KAW
COURT FINDS PROBABLE CAUSE TO BELIEVE THE DEFT COMMITTED
THE CRIME(S) AS ALLEGED
ISSUE WT \$2500
S ADMINISTRATIVE Warrant Ordered
Print on or after 06/17/2013
Warrant expires on 09/17/2021
FTA Ordered
OTH YDUI: Not Held, Wt/FTA Ordered
06/18/2013 FTA Issued, Amount Due 1,000.00 SYS
ADMINISTRATIVE Warrant Issued for
Probable Cause
Bail: 2,500.00 + 60.00 Warrant Fee; Total Bail 2,560.00
U 06/27/2013 DEF COPY OF NOTICE RETURNED LDF
S 02/26/2014 Warrant Served JAW
OTH NJAIL Set for 02/26/2015 01:00 PM
in Room 202 with Judge TAC
FTA Adjudicated: Court Appearance Scheduled LKB
OTH NJAIL Rescheduled to 02/26/2015 01:01 PM
in Room 202 with Judge TAC
OTH NJAIL Rescheduled to 02/26/2014 01:01 PM
in Room 202 with Judge TAC
U DEF PRESENT IN CUSTODY/IN PERSON, PA LAM PRESENT, JUDGE LDF
TAC PRESIDING
CHARGES AND RIGHTS READ
FINANCIAL AFFIDAVIT FILED
S OTH NJAIL: Held
U COURT WILL APPOINT ATTORNEY...IMLER

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#1 GRAYS HARBOR DISTRICT COURT
D O C K E T

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DEFENDANT
PARMLEY, KENNETH VERL JR

CASE: 2013181 WSP
Criminal Traffic
Agency No.

TEXT - Continued

U	02/26/2014	ORDER SETTING RELEASE CONDITIONS/ORDER SETTING BAIL	LDF
S		ATY 21 IMLER, KYLE L. Added as Participant	
U		**SET FOR ARY 3/5/14	
		**SET FOR PRETRIAL 4/2/14	
		---BAIL IS SET AT \$1500---	
S		Ignition Interlock License Req : 10 D	
		IIL Review Set for 03/04/2014	
		REV RCOND Set for 03/04/2014 04:59 PM	
		in Room 202 with Judge SEB	
		ARR N Set for 03/05/2014 07:59 AM	LKB
		in Room 202 with Judge SEB	
		OTH NPTC Set for 04/02/2014 08:00 AM	
		in Room 202 with Judge SEB	
U		NOTICE OF CASE SETTING SENT TO GRAYS HARBOR COUNTY JAIL	
		FAXED TO JAIL	
		ORDER APPOINTING LAWYER	LDF
		REPORT	LKB
S		FTA adjudication automatically sent to DOL	SYS
U	02/27/2014	STATES REQUEST FOR DISCOVERY/STATES WITNESS LIST	BNR
S	02/28/2014	BON 1 NORTHWEST SURETY SERVICE Added as Participant	LKB
		14059100198 Appearance Bond Posted for DEF 1	1,500.00
		Posted by: NORTHWEST SURETY SERVICE	
U		BAIL BOND	
S	03/04/2014	REV RCOND on 03/04/2014 04:59 PM	LDF
		in Room 202 with Judge SEB Canceled	
U	03/05/2014	DEF, ATY IMLER, PA GW PRESENT, JUDGE SEB PRESIDING	
S		REV RCOND Set for 03/26/2014 08:00 AM	
		in Room 202 with Judge TAC	
		Defendant Arraigned on Charge 1	
		Plea/Response of Not Guilty Entered on Charge 1	
		ARR N: Held	
U		NOTICE OF CASE SETTING	LKB
S	03/07/2014	Warrant Returned	HRV
	03/18/2014	PCN added to case	LDF
U	03/26/2014	DEF, ATY IMLER, PA LAM PRESENT; JUDGE TAC PRESIDING	
		ATY IMLER ADDRESSES THE COURT, STATES DEF DOES NOT OWN	
		A VEHICLE	
S		REV RCOND: Held	
U	04/02/2014	DEF, ATY IMLER, PA MF PRESENT; JUDGE SEB PRESIDING	
		WAIVER OF TIME FOR TRIAL RIGHT THROUGH 8/31/14	
		**SET FOR JURY CONF/TRIAL	
S		OTH NCONF Set for 05/28/2014 08:00 AM	LKB
		in Room 202 with Judge TAC	
		JTR NCRTR Set for 06/11/2014 09:00 AM	
		in Room 202 with Judge TAC	
U		NOTICE OF CASE SETTING	
S		OTH NPTC: Held	LDF
	04/14/2014	Review set for IIL on 03/04/2014 canceled	JAW
		Case Condition Violated: Ignition Interlock License Req	

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#1 GRAYS HARBOR DISTRICT COURT
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DEFENDANT
PARMLEY, KENNETH VERL JR

CASE: 2013181 WSP
Criminal Traffic
Agency No.

TEXT - Continued

S	05/22/2014	JTR NCRTR on 06/11/2014 09:00 AM Changed to Room 202 with Judge PDC	LKB
U	05/27/2014	DEF CALLED RE: VERIFY COURT DATE AND TIME	HRV
	05/28/2014	DEF, ATY YOUNG, PA GW PRESENT; JUDGE TAC PRESIDING STRIKE CURRENT TRIAL **RESET FOR JURY CONF/TRIAL WAIVER OF TIME FOR TRIAL RIGHT THROUGH 8/28/14	LDF
S		JTR NCRTR on 06/11/2014 09:00 AM in Room 202 with Judge PDC Canceled OTH NCONF Set for 07/09/2014 08:00 AM in Room 202 with Judge SEB JTR NCRTR Set for 07/16/2014 09:00 AM in Room 202 with Judge TAC	LKB
U		NOTICE OF CASE SETTING	
S		OTH NCONF: Held	LDF
U	06/06/2014	NOTICE OF HEARING MOTION AND DECLARATION FOR CONTINUANCE OF TRIAL DATE	LKB
S		MOT YCONT Set for 06/25/2014 08:00 AM in Room 202 with Judge TAC	
	06/11/2014	Notice Issued for MOT YCONT on 06/25/2014 08:00 AM	
U	06/17/2014	NOTICE RETURNED, UNABLE TO FORWARD NOTICE REMAILED TO ADDRESS ON FINANCIAL AFFIDAVIT	BNR
	06/24/2014	NOTICE RETURNED, UNABLE TO FORWARD	
	06/25/2014	DEF NOT PRESENT, ATY IMLER, PA LAM PRESENT; JUDGE TAC PRESIDING	LDF
S		BENCH Warrant Ordered Print on or after 06/25/2014 Warrant expires on 09/25/2022 FTA Ordered	
U		ORDER TO CONTINUE SIGNED STRIKE CURRENT TRIAL	
S		JTR NCRTR on 07/16/2014 09:00 AM in Room 202 with Judge TAC Canceled Warrant Order Canceled FTA Canceled: Issued in Error	
U		**SET FOR PRETRIAL 7/9/14 STRIKE CONFIRMATION HEARING ON 7/9/14	
S		OTH NCONF on 07/09/2014 08:00 AM in Room 202 with Judge SEB Canceled MOT YCONT: Held OTH YPTC Set for 07/09/2014 08:00 AM in Room 202 with Judge SEB	LKB
	06/27/2014	Notice Issued for OTH YPTC on 07/09/2014 08:00 AM	
U	07/02/2014	DEF CALLED TO VERIFY COURT DATE AND TIME NOTICE RETURNED: NOT DELIVERABLE	BNR HRV
	07/09/2014	NOTICE GIVEN AT COUNTER	
S		OTH YPTC on 07/09/2014 08:00 AM in Room 202 with Judge SEB Canceled OTH HEAR Set for 07/09/2014 08:00 AM in Room 202 with Judge SEB	LKB

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#1 GRAYS HARBOR DISTRICT COURT
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DEFENDANT
PARMLEY, KENNETH VERL JR

CASE: 2013181 WSP
Criminal Traffic
Agency No.

TEXT - Continued

S	07/09/2014	OTH NPTC Set for 09/24/2014 08:00 AM in Room 202 with Judge TAC	LKB
U		ORDER AGREED	
S		WAIVER OF TIME FOR TRIAL RIGHT GOOD THRU 12-31-14	
S		OTH HEAR: Held	
	09/16/2014	OTH NPTC on 09/24/2014 08:00 AM	LDF
		Changed to Room 202 with Judge SEB	LKB
U	09/24/2014	NOTICE GIVEN AT COUNTER	
S		OTH NPTC Rescheduled to 11/19/2014 08:00 AM	HRV
		in Room 202 with Judge TAC	LKB
		OTH HEAR Set for 09/24/2014 08:00 AM	
		in Room 202 with Judge TAC	
U		AGREED ORDER RE: PRE TRIAL HEARING TO 11/19/14	LDF
S		WAIVER OF TIME FOR TRIAL RIGHT THROUGH 2/28/15	
		OTH HEAR: Held	
	09/30/2014	OTH NPTC on 11/19/2014 08:00 AM	LKB
		Changed to Room 202 with Judge SEB	
	10/13/2014	OTH NPTC on 11/19/2014 08:00 AM	
		Changed to Room 202 with Judge TAC	
U	11/19/2014	DEF NOT PRESENT, ATY IMLER, PA GW, JUDGE TAC PRESIDING	BNR
S		JUDGE ORDERS WARRANT	
		BENCH Warrant Ordered	
		Print on or after 11/19/2014	
		Warrant expires on 02/19/2023	
		FTA Ordered	
U		BOND/BAIL TO BE FORFEITED	
S		Appearance Bond SS 7 20345	1,500.00
		Forfeiture Ordered, A/R Created	
		Bail/Bond Forfeiture due date : 60 D	
		BFD Review Set for 01/19/2015	
		BENCH Warrant Issued for	SYS
		Fail To Appear For Hearing	
		Cash or Bond	
		Bail: 2,500.00 + 60.00 Warrant Fee;	
		Total Bail 2,560.00	
U		ORDER AND JUDGMENT FORFEITING APPEARANCE BOND	HRV
S		CERT COPY MAILED TO BONDING COMPANY	
		OTH NPTC: Not Held, Wt/FTA Ordered	BNR
		FTA Issued, Amount Due	1,000.00
U	11/20/2014	SIGNATURE CARD FROM BONDING CO RETURNED	SYS
	12/09/2014	BONDING COMPANY CALLED TO VERIFY WARRANT RECALL PROCEDURE	MAS
		AND FEE	BNR
	01/20/2015	DEF CALLED WAS ADVISED OF WARRANT RECALL PROCEDURE AND FEE	
S	01/21/2015	15021100023 Forfeited Appearance Bond Posted	1,500.00 LKB
		Posted by: NORTHWEST SURETY SERVICE	
		Accounts Receivable Created	1,500.00
		Appearance Bail Marked Payable	1,500.00
		15021100027 Trust Applied to Bail Forfeiture	1,500.00
		Paid in Full	

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#1 GRAYS HARBOR DISTRICT COURT
D O C K E T

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DEFENDANT
PARMLEY, KENNETH VERL JR

CASE: 2013181 WSP
Criminal Traffic
Agency No.

TEXT - Continued

S	01/21/2015	Accounts Receivable Changed to Authorized by LKB	1,000.00	LKB
U	02/02/2015	LETTER NORTHWEST RESOURCES		
	02/13/2015	REPORT NORTHWEST RESOURCES		
	03/10/2015	REPORT NORTHWEST RESOURCES		
	04/09/2015	REPORT NORTHWEST RESOURCES		
S	07/24/2015	BWQ Set for 07/24/2015 01:20 PM in Room 202 with Judge TAC Accounts Receivable Changed to Authorized by KAG	1,025.00	KAG
		15205100212 Partial Fine Payment Received	25.00	
U		DEF PRESENT FOR WARRANT RECALL, JUDGE TAC PRESIDING ORDER RECALLING WARRANT		BNR
S		Warrant Served		
U		FTA Adjudicated: Court Appearance Scheduled FINANCIAL AFFIDAVIT FILED COURT WILL APPOINT ATTY EHRHARDT *** SET PTR FOR 8/26/15 ORDER APPOINTING ATTORNEY		
S		ATY 1 EHRHARDT, ROBERT Added as Participant		
U		NOTICE OF CASE SETTING		
S		PTR N Set for 08/26/2015 08:00 AM in Room 202 with Judge TAC BWQ: Held FTA adjudication automatically sent to DOL		SYS KAG
U	07/27/2015	FAX CONFIRMING WARRANT PULLED FROM GHSO DEFENDANT'S DEMAND FOR DISCOVERY		
S	08/14/2015	ATY 21 IMLER, KYLE L. Removed		LDF
U	08/26/2015	DEF, ATY EHRHARDT, PA J. B. PRESENT; JUDGE TAC PRESIDING **CONTINUE PRETRIAL TO 9/23/15		
S		OTH HEAR Set for 08/26/2015 08:00 AM in Room 202 with Judge TAC		
U		NOTICE GIVEN AT COUNTER		KAG
S		PTR N: Not Held, Hearing Canceled OTH HEAR: Held		LDF
	08/27/2015	PTR N Set for 09/23/2015 08:00 AM in Room 202 with Judge DLM		BNR
	09/02/2015	Warrant Returned		KAG
U	09/11/2015	REPORT FROM NORTHWEST RESOURCES		LKB
	09/23/2015	DEF, ATY EHRHARDT, PA R. TRICK PRESENT; JUDGE DLM PRESIDING **SET FOR JURY CONF 10/7/15 JURY TRIAL TO BE SET 10/13/15 ((SPEEDY IS UP 10/22/15))) NOTICE GIVEN AT COUNTER		LDF KAG
S		PTR N: Held		LDF
	09/24/2015	Review set for BFD on 01/19/2015 canceled CTS N Set for 10/07/2015 08:00 AM in Room 202 with Judge DLM JTR NCRTR Set for 10/13/2015 09:00 AM in Room 202 with Judge DLM		LKB BNR

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#1 GRAYS HARBOR DISTRICT COURT
D O C K E T

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DEFENDANT
PARMLEY, KENNETH VERL JR

CASE: 2013181 WSP
Criminal Traffic
Agency No.

TEXT - Continued

U 09/30/2015 MOTION AND DECLARATION FOR CONTINUANCE OF TRIAL DATE BNR
NOTICE OF HEARING
S 10/01/2015 MTN Set for 10/07/2015 08:00 AM
in Room 202 with Judge DLM
U 10/07/2015 DEF, ATY EHRHARDT, PA JB PRESENT; JUDGE TAC PRESIDING LDF
STRIKE CURRENT TRIAL, SET FOR PRETRIAL 11/4/15
WAIVER OF TIME FOR TRIAL RIGHT TO 1/6/16
S STE : Speedy Trial Expiration
STE Review Set for 01/06/2016
CTS N: Held
MTN: Held
JTR NCRTR on 10/13/2015 09:00 AM BNR
in Room 202 with Judge DLM Canceled
PTR N Set for 11/04/2015 08:00 AM
in Room 202 with Judge DLM
U NOTICE OF CASE SETTING
11/02/2015 DEF CALLED TO VERIFY COURT DATE
11/04/2015 DEF, ATY EHRHARDT, PA MF PRESENT; JUDGE DLM PRESIDING MAS
**CONTINUE PRETRIAL TO 12/02/15, DEFENSE REQUEST LDF
S OTH HEAR Set for 11/04/2015 08:00 AM
in Room 202 with Judge DLM
PTR N Rescheduled to 12/02/2015 08:00 AM
in Room 202 with Judge DLM
OTH HEAR: Held
U NOTICE SIGNED AT COUNTER KAG
11/23/2015 DEF CALLED, CONFIRMED COURT DATE AND TIME LDF
12/02/2015 DEF, ATY EHRHARDT, PA JB PRESENT; JUDGE DLM PRESIDING
**CONTINUE PRETRIAL TO 12/16/15
S OTH HEAR Set for 12/02/2015 08:00 AM
in Room 202 with Judge TAC
PTR N Rescheduled to 12/16/2015 08:00 AM
in Room 202 with Judge DLM
U NOTICE SIGNED AT COUNTER KAG
S OTH HEAR on 12/02/2015 08:00 AM LDF
Changed to Room 202 with Judge SAC
OTH HEAR: Held
12/15/2015 Record Check Only : 30 D
RCO Review Set for 01/15/2016
Probation : 5 Y
PRO Review Set for 12/15/2020
DUI:Lic/insr/no > .08 or refus : 5 Y
1) Not drive veh w/in st w/out a lic & proof of fin resp; 2)
Not drv veh w/in st w/BAC >=.08 or THC >=5.0 w/in 2 hrs after
driving; 3) Not ref BAC/BLD tst when law enf has reas grnds
to blve pers und inf while drvg or phys cont of veh w/in st.
Alcohol Assessment : 45 D
Victims Panel : 90 D
12/16/2015 Finding/Judgment of Deferred Prosecution for Charge 1
Case Heard Before Judge MISTACHKIN, DAVID L

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#1 GRAYS HARBOR DISTRICT COURT
D O C K E T

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DEFENDANT
PARMLEY, KENNETH VERL JR

CASE: 2013181 WSP
Criminal Traffic
Agency No.

TEXT - Continued

S 12/16/2015	Judge MISTACHKIN, DAVID L Imposed Sentence	LDF
	STE : Imposed on 10/07/2015 canceled	
	Review set for STE on 01/06/2016 canceled	
	IIL : Imposed on 02/26/2014 canceled	
	PTR N: Held	
U	DEF REQUEST TO HAVE BAIL REINSTATED AND EXHONERATED IS DENIED BY JUDGE DLM	
	PETITION FOR DEFERRED PROSECUTION	KAG
	ORDER GRANTING DEFERRED PROSECUTION	
	SIGNED TIME PAY	
S 12/17/2015	PRB 1 GH PROBATION Added as Participant	LDF
	Defendant Complied with Alcohol Assessment	
	Accounts Receivable Changed to	1,586.21
	Authorized by LDF	
	RTN 1 WASHINGTON STATE PATROL Added as Participant	
	Restitution Recipient RTN 1 Added to Case	
	Restitution Amount Due RTN 1	82.77
	Due on 12/17/2015	
	RTN 2 GRAYS HARBOR SHERIFFS, OFFICE Added as Participant	
	Restitution Recipient RTN 2 Added to Case	
	Restitution Amount Due RTN 2	303.44
	Due on 12/17/2015	
	Accounts Receivable Changed to	711.21 LKB
	Authorized by LKB with Adjustment Code: CE	
12/18/2015	Case Scheduled on Time Pay Agreement 1 for:	711.21 KAG
	First Pymt Date: 01/17/2016 Amt: 50.00 Freq: M Num: 15	
U	ABSTRACT OF COURT RECORD EMAILED TO DOL	
	UPDATED TIME PAY MAILED TO DEF	
S 02/17/2016	Review set for RCO on 01/15/2016 canceled	LDF
	Defendant Complied with Record Check Only	
	ATY 1 EHRHARDT, ROBERT Removed	
05/09/2016	DPC Y Set for 06/24/2016 02:01 PM	LKB
	in Room 202 with Judge TAC	
	DPC Y on 06/24/2016 02:01 PM	
	in Room 202 with Judge TAC Canceled	
	DPC FINE Set for 06/24/2016 02:01 PM	
	in Room 202 with Judge TAC	
05/11/2016	Notice Issued for DPC FINE on 06/24/2016 02:01 PM	BNR
U 06/01/2016	DEF CALLED WILL MAIL \$350 PRIOR TO COURT DATE	
06/14/2016	DEF CALLED WILL MAKE A \$350 PAYMENT BY 6/24/16	
06/23/2016	--DEFT CALLED WILL PAY \$300 TONIGHT BY CC--CANCEL HEARING FOR TOMORROW, DEFT WILL CONTINUE TO MAKE PAYMENTS OF \$50 EACH MONTH--	LKB
S 06/24/2016	16176100008 Time Payment Received	300.00 MAS
	DPC FINE on 06/24/2016 02:01 PM	
	in Room 202 with Judge TAC Canceled	
06/30/2016	Court Chk Ref 3343 for Restitution	235.71 BNR
	to Payee: GRAYS HARBOR SHERIFFS, OFFICE	
	Court Chk Ref 3344 for Restitution	64.29
	to Payee: WASHINGTON STATE PATROL	

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#1 GRAYS HARBOR DISTRICT COURT
D O C K E T

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DEFENDANT
PARMLEY, KENNETH VERL JR

CASE: 2013181 WSP
Criminal Traffic
Agency No.

TEXT - Continued

S	06/30/2016	Court Chk Ref 3344 voided for Restitution	-64.29	BNR
		Court Chk Ref 3346 for Restitution to Payee: WASHINGTON STATE PATROL	64.29	
08/23/2016	16236100167	Time Payment Received	30.00	MAS
		Court Chk Ref 3362 for Restitution to Payee: GRAYS HARBOR SHERIFFS, OFFICE	23.57	
		Court Chk Ref 3363 for Restitution to Payee: WASHINGTON STATE PATROL	6.43	
09/19/2016	16263100021	Time Payment Received	40.00	
10/13/2016	16287100077	Time Payment Received	30.00	KAG
11/16/2016		Court Chk Ref 3397 for Restitution to Payee: GRAYS HARBOR SHERIFFS, OFFICE	44.16	MAS
		Court Chk Ref 3398 for Restitution to Payee: WASHINGTON STATE PATROL	12.05	
		16321100182 Time Payment Received	25.00	KAG
11/21/2016		Court Chk Ref 3397 voided for Restitution	-44.16	MAS
		Court Chk Ref 3400 for Restitution to Payee: GRAYS HARBOR SHERIFFS, OFFICE	44.16	
12/06/2016		DUA Review Set for 12/15/2017		LKB
12/16/2016	16351100046	Time Payment Received	10.00	KAG
01/17/2017	17017100076	Time Payment Received	25.00	
02/16/2017	17047100150	Time Payment Received	20.00	
03/16/2017	17075100160	Time Payment Received	25.00	
04/17/2017	17107100041	Time Payment Received	25.00	
05/17/2017	17137100071	Time Payment Received	25.00	MAS
U		PAYMENT WAS MADE BY CHECK NOT CARD		
S		17137100071 Receipt reversed	-25.00	
		Authorized by: MAS		
		17137100096 Time Payment Received	25.00	
06/02/2017		DUA Review Date Changed to 12/15/2018		LKB
06/14/2017	17165100117	Time Payment Received	20.00	KAG
07/14/2017	17195100109	Time Payment Received	10.00	HRV
08/16/2017	17228100044	Time Payment Received	10.00	KAG
09/14/2017	17257100170	Time Payment Received	25.00	

ACCOUNTING SUMMARY

	Total Due	Paid	Credit	Balance
Timepay: Y	2,236.21	2,145.00		91.21
Trust Account:	Current Bail	Applied	Refunded /	Payable
(Cash)	Amount	1,500.00	Transferred	
			1,500.00	

ADDITIONAL CASE DATA

Case Disposition
Disposition: OPEN

Parties

Bondsman

NORTHWEST SURETY SERVICE

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#1 GRAYS HARBOR DISTRICT COURT
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DEFENDANT
PARMLEY, KENNETH VERL JR

CASE: 2013181 WSP
Criminal Traffic
Agency No.

ADDITIONAL CASE DATA - Continued

Parties

Probation Officer GH PROBATION
Restitution Recipien WASHINGTON STATE PATROL
GRAYS HARBOR SHERIFFS, OFFICE
Special Prosecuting PROSECUTOR'S OFFICE, GRAYS HARBOR CO

Personal Description

Sex: M Race: W DOB: 12/05/1960
Dr.Lic.No.: [REDACTED] State: [REDACTED] Expires: [REDACTED]
Employer:
Height: 5 11 Weight: 175 Eyes: BRO Hair: BRO
Identifying Information: TAT R SHLD CELTIC CROSS/TAT BACK
CROSS OLYMPIA PORTRAIT OF HIS
MOTHER

Hearing Summary

Held	Event	ON	AT	Time	Room	With
Held	IN-CUSTODY HEARING	ON 02/26/2014	AT 01:01 PM	IN ROOM 202	WITH TAC	
Held	ARRAIGNMENT	ON 03/05/2014	AT 07:59 AM	IN ROOM 202	WITH TAC	
Held	REVIEW RELEASE COND	ON 03/26/2014	AT 08:00 AM	IN ROOM 202	WITH TAC	
Held	PRE-TRIAL CONFERENCE	ON 04/02/2014	AT 08:00 AM	IN ROOM 202	WITH TAC	
Held	JURY CONFIRMATION	ON 05/28/2014	AT 08:00 AM	IN ROOM 202	WITH TAC	
Held	MOTION TO CONTINUE	ON 06/25/2014	AT 08:00 AM	IN ROOM 202	WITH TAC	
Held	OTHER HEARING	ON 07/09/2014	AT 08:00 AM	IN ROOM 202	WITH TAC	
Held	OTHER HEARING	ON 09/24/2014	AT 08:00 AM	IN ROOM 202	WITH TAC	
Held	BW QUASH HRNG	ON 07/24/2015	AT 01:20 PM	IN ROOM 202	WITH TAC	
Held	OTHER HEARING	ON 08/26/2015	AT 08:00 AM	IN ROOM 202	WITH TAC	
Held	PRE TRIAL	ON 09/23/2015	AT 08:00 AM	IN ROOM 202	WITH TAC	
Held	TRIAL STATUS/CONFIRM	ON 10/07/2015	AT 08:00 AM	IN ROOM 202	WITH TAC	
Held	MOT-NO TSTMNY CN-CT	ON 10/07/2015	AT 08:00 AM	IN ROOM 202	WITH TAC	
Held	OTHER HEARING	ON 11/04/2015	AT 08:00 AM	IN ROOM 202	WITH TAC	
Held	OTHER HEARING	ON 12/02/2015	AT 08:00 AM	IN ROOM 202	WITH TAC	
Held	PRE TRIAL	ON 12/16/2015	AT 08:00 AM	IN ROOM 202	WITH TAC	

Case Review Status

CHARGE	Review Date	Complied
CHARGE 50 - DUI:Lic/insr/no > .08 or refus	12/15/2018	N
CHARGE 50 - Probation	12/15/2020	N

End of docket report for this case

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ABERDEEN MUNICIPAL COURT
D O C K E T

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DEFENDANT
PARMLEY, KENNETH VERL JR
[REDACTED]

CASE: C00048556 ABP
Criminal Non-Traffic
Agency No.

Home Phone: [REDACTED]

AKA No aliases on file.

OFFICER
52886 ABP SIDOR, BILL

CHARGES

Violation Date:		DV Plea	Finding
1 9A.56.050	THEFT 3	N Not Guilty	Guilty
2 9A.76.040	RESISTING ARREST	N Not Guilty	Guilty

TEXT

S 10/22/2004 Case Filed on 10/22/2004
DEF 1 PARMLEY, KENNETH VERL JR Added as Participant
OFF 1 SIDOR, BILL Added as Participant
ARR N Set for 10/22/2004 08:30 AM
in Room 1 with Judge PDC
ARR N: Held
Defendant Arraigned on Charge 1
Plea/Response of Not Guilty Entered on Charge 1
Defendant Arraigned on Charge 2
Plea/Response of Not Guilty Entered on Charge 2
ATY 1 BUTLER, DAVID P. Added as Participant
OTH YPTC Set for 10/28/2004 02:30 PM
in Room 1 with Judge PDC
Notice Issued for OTH YPTC on 10/28/2004 02:30 PM
10/25/2004 PCN added to case
U 10/28/2004 DEF WAS FURLOUGHED FROM JAIL TO RETURN 10/27 3PM, DID NOT
RETURN, CASES CONT ONE WEEK FOR BUTLER TO LOCATE
S OTH YPTC Rescheduled to 11/04/2004 02:30 PM
in Room 1 with Judge PDC
10/29/2004 Notice Issued for OTH YPTC on 11/04/2004 02:30 PM
11/04/2004 OTH YPTC: Not Held, Wt/FTA Ordered
BENCH Warrant Ordered
Print on or after 11/04/2004
Warrant expires on 11/04/2008
BENCH Warrant Issued for
Fail To Appear For Hearing
Cash Bail Only
Bail: 5,000.00 + 0.00 Warrant Fee: Total Bail 5,000.00
12/23/2004 Warrant Served
12/27/2004 Warrant Returned
REV N Set for 01/14/2005 09:00 AM
in Room 1 with Judge PDC
01/14/2005 REV N: Not Held, Wt/FTA Ordered
BENCH Warrant Ordered
Print on or after 01/14/2005
Warrant expires on 01/14/2009

BVG

PJM

DXP

BVG

SYS

DXP

BVG

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ABERDEEN MUNICIPAL COURT
D O C K E T

PAGE: 2

DEFENDANT
PARMLEY, KENNETH VERL JR

CASE: C00048556 ABP
Criminal Non-Traffic
Agency No.

TEXT - Continued

S	01/14/2005	BENCH Warrant Issued for Fail To Appear For Hearing Cash Bail Only Bail: 5,000.00 + 0.00 Warrant Fee; Total Bail	5,000.00	SYS
	01/19/2005	Warrant Served		
	01/21/2005	Warrant Returned REV N Set for 02/11/2005 09:00 AM in Room 1 with Judge PDC		DXP
	02/11/2005	REV N: Not Held, Wt/FTA Ordered BENCH Warrant Ordered Print on or after 02/11/2005 Warrant expires on 02/11/2009 BENCH Warrant Issued for Fail To Appear For Hearing Cash Bail Only Bail: 5,000.00 + 0.00 Warrant Fee; Total Bail	5,000.00	BVG
	03/03/2005	Warrant Served Warrant Returned OTH JAIL Set for 03/03/2005 08:30 AM in Room 1 with Judge PDC OTH JAIL Rescheduled to 03/04/2005 08:30 AM in Room 1 with Judge PDC		SYS
	03/04/2005	OTH JAIL Rescheduled to 03/07/2005 08:30 AM in Room 1 with Judge PDC		BVG
	03/07/2005	OTH JAIL: Held OTH YPTC Set for 03/10/2005 02:30 PM in Room 1 with Judge PDC Notice Issued for OTH YPTC on 03/10/2005 02:30 PM		TAF
	03/10/2005	OTH YPTC: Held		BVG
	03/11/2005	OTH YPTC Set for 03/17/2005 02:30 PM in Room 1 with Judge PDC Notice Issued for OTH YPTC on 03/17/2005 02:30 PM		TAF
U	03/15/2005	LETTER ON JUDGE'S DESK FOR REVIEW PER JUDGE PDC, HE WILL REVIEW ON 03/17, LETTER TO DEF		DXP
	03/16/2005	MTN FOR FURLOUGH FILED BY ATTY DAVID BUTLER, IN FILE FOR CRT		TAF
S	03/17/2005	OTH YPTC: Held Finding/Judgment of Guilty for Charge 1 Case Heard Before Judge CONROY, PAUL DOUGLAS Judge CONROY, PAUL DOUGLAS Imposed Sentence Court Imposes Jail Time of 365 Days on Charge 1 with 335 Days Suspended, and 0 Days Credit for time served Total Imposed on Charge 1: with 0.00 Suspended And 200.00 Other Amount Ordered NCR : No Criminal Violations NDV : No Alcohol/Drug Related Vios Probation : 24 M Alcohol Assessment : 45 D	100.00	BVG TAF

Docket continued on next page

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ABERDEEN MUNICIPAL COURT
D O C K E T

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DEFENDANT
PARMLEY, KENNETH VERL JR

CASE: C00048556 ABP
Criminal Non-Traffic
Agency No.

TEXT - Continued

S	03/17/2005	Drug Assessment : 45 D	
U		DO NOT GO UPON THE PROPERTY OF AND HAVE NO CONTACT W/ WAL-MART	TAF
S		Finding/Judgment of Guilty for Charge 2 Case Heard Before Judge CONROY, PAUL DOUGLAS Judge CONROY, PAUL DOUGLAS Imposed Sentence Court Imposes Jail Time of 90 Days on Charge 2 with 80 Days Suspended, and 0 Days Credit for time served Total Imposed on Charge 2: with 0.00 Suspended	100.00
		And 0.00 Other Amount Ordered	
U		DEF IC TO SERVE JAIL TIME NOW	
S	03/18/2005	REV Y Set for 05/12/2005 09:01 AM in Room 1 with Judge PDC Accounts Receivable Created Case Scheduled on Time Pay Agreement 1 for: Notice Issued for REV Y on 05/12/2005 09:01 AM	400.00 2,080.00
U	03/23/2005	LETTER ON JUDGE'S DESK FOR REVIEW	
S	04/24/2005	COMPLIANT Time Pay Statement Sent for Time Pay Agreement 1	BVG
U	04/28/2005	TTP STATEMENT RETD IN MAIL	SYS
S	05/12/2005	DEF IN TX, RESET REV	PJM
		REV Y Rescheduled to 05/26/2005 09:01 AM in Room 1 with Judge PDC	BVG
	05/23/2005	Notice Issued for REV Y on 05/26/2005 09:01 AM	PJM
	05/26/2005	DELINQUENT Time Pay Statement Sent for Time Pay Agreement 1 REV Y: Not Held, Wt/FTA Ordered	SYS
		BENCH Warrant Ordered	BVG
		Print on or after 05/26/2005	PJM
		Warrant expires on 05/26/2009	
		BENCH Warrant Issued for Fail To Appear For Hearing	SYS
		Cash Bail Only	
		Bail: 5,000.00 + 0.00 Warrant Fee; Total Bail	5,000.00
U	06/14/2005	TTP STATEMENT RETD IN MAIL	
S		Case Removed from Time Pay Agreement 249 30814 1	PJM
U		UNABLE TO ISSUE FTP, HUNG W/FTA	
S	04/12/2006	Charge 2: Def. complied with Jail Sentence Charge 1: Def. complied with Jail Sentence	DXP
	06/22/2006	Warrant Served	
		Warrant Returned	BVG
		OTH JAIL Set for 06/22/2006 08:30 AM in Room 1 with Judge PDC	
		OTH JAIL: Held	
U		PER JUDGE PDC, DEF TO PAY \$605 OR SERVE 12 DAYS C47629, IF PD NEED NOT APPEAR, DEF TO SERVE 5 DAYS NON-COMPLIANCE EACH, MORE TTP, C47631, C48556, REPORT TO JAIL 07/26/06 3 PM, MORE TTP C47630	
S		Case Scheduled on Time Pay Agreement 1 for:	1,475.00

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ABERDEEN MUNICIPAL COURT
D O C K E T

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DEFENDANT
PARMLEY, KENNETH VERL JR

CASE: C00048556 ABP
Criminal Non-Traffic
Agency No.

TEXT - Continued

U	07/26/2006	APD CHANGED JL COMMIT TO 8/22/06 @ 3PM		DXP
	08/23/2006	APD CHANGED JL COMMIT TO 9/19/06 @ 3PM		
S	09/05/2006	COMPLIANT Time Pay Statement Sent for Time Pay Agreement 1		SYS
U	09/19/2006	APD CHANGED JL COMMIT TO 10/04/06 @ 3PM		DXP
S	10/01/2006	DELINQUENT Time Pay Statement Sent for Time Pay Agreement 1		SYS
	10/23/2006	Case Removed from Time Pay Agreement 249 30814 1		PJM
		BENCH Warrant Ordered		
		Print on or after 10/23/2006		
		Warrant expires on 10/23/2010		
		BENCH Warrant Issued for		SYS
		Fail To Pay Fine Or Appear		
		Cash Bail Only		
		Bail: 400.00 + 0.00 Warrant Fee; Total Bail	400.00	
11/27/2006		Warrant Quashed		PJM
		Warrant Returned		
		BENCH Warrant Ordered		
		Print on or after 11/27/2006		
		Warrant expires on 11/27/2010		
		BENCH Warrant Issued for		SYS
		Fail To Comply		
		Fail To Pay Fine Or Appear		
		No Bail		
		6331100276 Fine Payment Paid in Full	400.00	DXP
08/11/2008		Warrant Served		
08/12/2008		Warrant Returned		
		REV N Set for 09/15/2008 01:00 PM		
		in Room 1 with Judge PDC		
		Collection Delay Date of 09/16/2008 Added		
U	09/12/2008	DEF CALLED, IN HOSPITAL TODAY WITH A HERNIA, A SPECIALIST IS		TAF
		GOING TO SEE DEF & RECOMMEND MEDICAL PROCEDURE, DEF MAY NOT		
		BE HERE FOR CRT HRG DUE TO MEDICAL CONDITION, ADVISED DEF TO		
		HAVE DR/NURSE PUT MEDICAL ISSUE IN WRITING & FAX TO CRT ASAP		
S	09/15/2008	REV N: Not Held, Wt/FTA Ordered		BVG
U		DEF FTA, FINES PD, REISSUE FTC WTS		
S		BENCH Warrant Ordered		
		Print on or after 09/15/2008		
		Warrant expires on 09/15/2012		
		BENCH Warrant Issued for		SYS
		Fail To Comply		
		No Bail		
09/15/2012		Warrant Expired.		TLS
09/18/2012		Warrant Returned		
09/19/2012		BENCH Warrant Ordered		
		Print on or after 09/19/2012		
		Warrant expires on 09/19/2016		
U		OWES 5 DAYS JAIL		DXP
S	09/21/2012	BENCH Warrant Issued for		SYS
		Fail To Comply		
		No Bail		

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ABERDEEN MUNICIPAL COURT
D O C K E T

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DEFENDANT
PARMLEY, KENNETH VERL JR

CASE: C00048556 ABP
Criminal Non-Traffic
Agency No.

TEXT - Continued

S	03/24/2013	Warrant Served	
	03/25/2013	Warrant Returned	TLS
		OTH JAIL Set for 03/25/2013 10:30 AM	
		in Room 1 with Judge PDC	
U		DEF PRES I/C HRG, JUDGE PDC/PA FW	
		WAIVER OF COUNSEL	
		5 DAYS W/5DAYS CREDIT ON C47631, C48556 TO SERVE 5 DAYS	
S		Revoked Suspended Jail : 5 D	
		RSJ Review Set for 04/30/2013	
		OTH JAIL: Held	
U	05/01/2013	ORG JL COMMIT RET FROM APD, DEF NO SHOW FOR 5 DAYS JL	DXP
S		BENCH Warrant Ordered	
		Print on or after 05/01/2013	
		Warrant expires on 05/01/2017	
		BENCH Warrant Issued for	SYS
		Fail To Comply	
		No Bail	
	02/27/2014	Warrant Served	
		Warrant Returned	TAH
		REV N Set for 02/27/2014 10:30 AM	
		in Room 1 with Judge SLS	
U		D PRES IC FOR REV/WAIVES ATTY APPNTD, CA WORGUM/JUDGE SLS	
		SERVE JL REMAINING NOW/C48556-5D, 3Z175985-1D, MTPP 3Z175985	
S		Pay or Serve : 5 D	
		REV N: Held	
		Pay or Serve : 5 D	
U		REVIEW OF TX NOT ADDRESSED/SET FOR REVIEW/MAIL NOTICE	IEQ
S	03/11/2014	Defendant Complied with Pay or Serve	TAH
	03/18/2014	REV Y Set for 04/17/2014 08:30 AM	IEQ
		in Room 1 with Judge SLS	TAH
		Notice Issued for REV Y on 04/17/2014 08:30 AM	
	03/25/2014	ATY 1 BUTLER, DAVID P. Removed	
U	04/16/2014	D CLD/CANNOT BE HERE FOR CRT/HAS TO OBTAIN TRAVEL PERMIT FROM	
		DOC/JUST RCVD NOTICE FROM PARENTS FOR HRG TOMORROW/REQ	
		CONTINUANCE FOR FEW WKS	
	04/17/2014	DEF FTA FOR REV, ATY GIBSON, JUDGE SLS/PA FW	TLS
		ALC/DRUG WAS PREV WAIVED/CLOSE FOR REVIEWS	
S		Defendant Excused/Waived for Alcohol Assessment	
		Defendant Excused/Waived for Drug Assessment	
		REV Y: Held	
U		DF CLD WAS GIVEN ABOVE INFO, ADV ONLY PMTS ON PMTS NO MORE	IEQ
		REVIEWS	
S	05/01/2014	Case Disposition of CL Entered	TLS
	05/02/2017	Criteria met for case file to be destroyed, included on Destr	SYS
		uction of Records Report	

ACCOUNTING SUMMARY

	Total Due	Paid	Credit	Balance
Timepay: N	400.00	400.00		

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ABERDEEN MUNICIPAL COURT
D O C K E T

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DEFENDANT
PARMLEY, KENNETH VERL JR

CASE: C00048556 ABP
Criminal Non-Traffic
Agency No.

ADDITIONAL CASE DATA - Continued

Case Disposition

Disposition: Closed

Date: 05/01/2014

Personal Description

Sex: ~~MA~~ Race: ~~W~~ DOB: ~~01/01/1971~~

Dr.Lic.No.: ~~000000000000000000~~ State: ~~MD~~ Expires: ~~01/01/2014~~

Employer:

Height: 5 11 Weight: 175 Eyes: BRO Hair: BRO

Identifying Information: TAT R SHLD CELTIC CROSS/TAT BACK
CROSS OLYMPIA PORTRAIT OF HIS
MOTHER

Hearing Summary

Held	ARRAIGNMENT	ON 10/22/2004 AT 08:30 AM IN ROOM 1	WITH PDC
Held	IN CUSTODY	ON 03/07/2005 AT 08:30 AM IN ROOM 1	WITH PDC
Held	PRETRIAL CONFERENCE	ON 03/10/2005 AT 02:30 PM IN ROOM 1	WITH PDC
Held	PRETRIAL CONFERENCE	ON 03/17/2005 AT 02:30 PM IN ROOM 1	WITH PDC
Held	IN CUSTODY	ON 06/22/2006 AT 08:30 AM IN ROOM 1	WITH PDC
Held	IN CUSTODY	ON 08/25/2013 AT 10:30 AM IN ROOM 1	WITH PDC
Held	REVIEW HEARING	ON 02/27/2014 AT 10:30 AM IN ROOM 1	WITH SLS
Held	REVIEW HEARING	ON 04/17/2014 AT 08:30 AM IN ROOM 1	WITH SLS

End of docket report for this case

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ABERDEEN MUNICIPAL COURT
D O C K E T

PAGE: 1

DEFENDANT
PARMLEY, KENNETH VERL JR
[REDACTED]

CASE: 3Z0175985 ABP
Criminal Traffic
Agency No. 13-A05730

Home Phone: [REDACTED]

AKA No aliases on file.

OFFICER
03068 ABP LOUGHEED, KRISTI

CHARGES

Violation Date: 03/24/2013
1 46.20.342.1C DWLS 3RD DEGREE

DV Plea
N Guilty

Finding
Guilty

TEXT

S 03/24/2013 Received eTicket 3Z0175985 @ 08:25 PM by designated computer SYS
03/25/2013 Case Filed on 03/25/2013 TLS
DEF 1 PARMLEY, KENNETH VERL JR Added as Participant
OFF 1 LOUGHEED, KRISTI Added as Participant
ARR N Set for 03/25/2013 10:30 AM
in Room 1 with Judge PDC
Case linked to electronic ticket 3Z0175985
U DEF PRES I/C ARR HRG, JUDGE PDC/PA FW
WAIVER OF COUNSEL
S DETERMINATION FOR PROBABLE CAUSE ESTABLISHED.
Defendant Arraigned on Charge 1
Plea/Response of Guilty Entered on Charge 1
Defendant waived counsel on 03/25/2013
Finding/Judgment of Guilty for Charge 1
Case Heard Before Judge CONROY, PAUL DOUGLAS
Judge CONROY, PAUL DOUGLAS Imposed Sentence
Court Imposes Jail Time of 90 Days on Charge 1
with 89 Days Suspended, and
0 Days Credit for time served
Total Imposed on Charge 1: 300.00
with 0.00 Suspended
And 250.00 Other Amount Ordered
NCR : No Criminal Violations
Probation : 24 M
NLI : No Driving w/o License and Ins
Pay or Serve : 1 D
Accounts Receivable Created 550.00
POS Review Set for 04/30/2013
Case Scheduled on Time Pay Agreement 1 for: 550.00
First Pymt Date: 05/25/2013 Amt: 50.00 Freq: M Num: 11
ARR N: Held
PCN added to case
Disposition sent electronically to DOL IEQ
U 05/01/2013 ORG JL COMMIT RET FROM APD DEF FAIL TO SHOW FOR 1 DAY JL SYS
S BENCH Warrant Ordered DXP
Print on or after 05/01/2013
Warrant expires on 05/01/2017

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ABERDEEN MUNICIPAL COURT
D O C K E T

PAGE: 2

DEFENDANT
PARMLEY, KENNETH VERL JR

CASE: 3Z0175985 ABP
Criminal Traffic
Agency No. 13-A05730

TEXT - Continued

S	05/01/2013	BENCH Warrant Issued for Fail To Comply No Bail	SYS
	05/05/2013	COMPLIANT Time Pay Statement Sent for Time Pay Agreement 1	
	06/09/2013	DELINQUENT Time Pay Statement Sent for Time Pay Agreement 1	
	07/07/2013	DELINQUENT Time Pay Statement Sent for Time Pay Agreement 1	
	08/04/2013	DELINQUENT Time Pay Statement Sent for Time Pay Agreement 1	
	09/08/2013	DELINQUENT Time Pay Statement Sent for Time Pay Agreement 1	
	10/06/2013	DELINQUENT Time Pay Statement Sent for Time Pay Agreement 1	
	11/05/2013	Case Removed from Time Pay Agreement 249 30814 1	
U		HANG FTP \$550 W/FTC WRT	DXP
S		Collection Delay Date of 11/05/2014 Added	
	02/27/2014	Warrant Served Warrant Returned REV N Set for 02/27/2014 10:30 AM in Room 1 with Judge SLS	TAH
U		D PRES IC FOR REV/WAIVES ATTY APPNTD, CA WORGUM/JUDGE SLS	
S		SERVE JL REMAINING NOW/C48556-5D, 3Z175985-1D, MTPP 3Z175985 Pay or Serve : 1 D Case Scheduled on Time Pay Agreement 1 for: 550.00 First Pynt Date: 04/26/2014 Amt: 50.00 Freq: M Num: 11 REV N: Held	
	03/11/2014	Charge 1: Def. complied with Jail Sentence Defendant Complied with Pay or Serve	IEQ
	04/06/2014	COMPLIANT Time Pay Statement Sent for Time Pay Agreement 1	SYS
	05/11/2014	DELINQUENT Time Pay Statement Sent for Time Pay Agreement 1	
U	05/22/2014	DELINQ TP NTC RET ML, UNDELIVER AS ADDR	DXP
S	06/08/2014	DELINQUENT Time Pay Statement Sent for Time Pay Agreement 1	SYS
U	06/23/2014	DELINQ TP NTC RET ML, NOT DELIVER AS ADDR	DXP
S	07/06/2014	DELINQUENT Time Pay Statement Sent for Time Pay Agreement 1	SYS
U	07/15/2014	DELINQ TP NTC RET ML, NOT DELIVER AS ADDR	DXP
S		Case Removed from Time Pay Agreement 249 30814 1 FTA Ordered Collection Delay Date of 11/05/2014 Removed Case Obligation Selected for Collections OWES \$550	
U		FTA Issued, Amount Due	550.00 SYS
S	07/16/2014	Collections: 1st Notice Prepared	DXP
	09/10/2014	Case Obligation Assigned to DYNAMIC COLLECTORS INC for Collec tions	
U	05/06/2016	NTC FROM DYNAMIC, NEW PMT PLAN	
S		FTA Adjudicated: Court Appearance Scheduled FTA adjudication automatically sent to DOL	SYS
	05/19/2017	17138100203 Partial Fine Payment Received	55.88 DXP
	06/15/2017	17166100059 Partial Fine Payment Received	60.00
	07/14/2017	17194100189 Partial Fine Payment Received	30.00
	08/17/2017	17229100085 Partial Fine Payment Received	30.00
	09/14/2017	17257100185 Partial Fine Payment Received	30.00

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ABERDEEN MUNICIPAL COURT
D O C K E T

PAGE: 3

DEFENDANT
PARMLEY, KENNETH VERL JR

CASE: 3Z0175985 ABP
Criminal Traffic
Agency No. 13-A05730

ACCOUNTING SUMMARY

	Total Due	Paid	Credit	Balance
Timepay: N	550.00	205.83		344.17

COLLECTION STATUS

Status Date	Status Description	Cln Amt
09/10/2014	Agent Assigned by System	550.00

Collection Agent: DYNAMIC COLLECTORS INC

ADDITIONAL CASE DATA

Case Disposition
Disposition: OPEN

Personal Description

Sex: [REDACTED] Race: [REDACTED] DOB: [REDACTED]
Dr.Lic.No.: [REDACTED] State: [REDACTED] Expires: [REDACTED]

Employer:

Height: 5 11 Weight: 175 Eyes: BRO Hair: BRO

Identifying Information: TAT R SHLD CELTIC CROSS/TAT BACK
CROSS OLYMPIA PORTRAIT OF HIS
MOTHER

Hearing Summary

Held	ARRAIGNMENT	ON 03/25/2013 AT 10:30 AM IN ROOM 1	WITH PDC
Held	REVIEW HEARING	ON 02/27/2014 AT 10:30 AM IN ROOM 1	WITH SLS

End of docket report for this case

FILED
SUPERIOR COURT
THURSTON COUNTY, WA

2014 MAR -4 AM 9:38

SUPERIOR COURT OF WASHINGTON
COUNTY OF THURSTON

BETTY J. GOULD, CLERK

STATE OF WASHINGTON, Plaintiff,

vs.

No. 13-1-00914-9

BRIAN GLENN COX,

Defendant.

FELONY JUDGMENT AND SENTENCE (FJS)

SID: WA27196543

If no SID, use DOB: 05/01/1969

PCN: 767144130 BOOKING NO. C0179885

Prison (non-sex offense)

I. HEARING

1.1 A sentencing hearing was held on MARCH 4, 2014 and the defendant, the defendant's lawyer and the deputy prosecuting attorney were present.

II. FINDINGS

There being no reason why judgment should not be pronounced, the court FINDS:

2.1 CURRENT OFFENSE(S): The defendant was found guilty on FEBRUARY 20, 2014
by ☐ plea ☒ jury-verdict ☐ bench trial of

COUNT	CRIME	RCW	DATE OF CRIME
I	CRIMINAL SOLICITATION FOR MURDER IN THE FIRST DEGREE/ DOMESTIC VIOLENCE	9A.28.030, 9A.32.030(1)(a), 10.99.020	ON OR BETWEEN MAY 14, 2013 AND JUNE 11, 2013
II	CRIMINAL SOLICITATION FOR MURDER IN THE FIRST DEGREE	9A.28.030, 9A.32.030(1)(a)	ON OR BETWEEN JUNE 12, 2013 AND JULY 1, 2013
III	VIOLATION OF PROTECTION ORDER/DOMESTIC VIOLENCE	26.50.110(1), 26.50.010, 26.50.060, 26.50.070, 10.99.020	MARCH 25, 2013

as charged in the THIRD AMENDED information.

☐ Additional current offenses are attached in Appendix 2.1.

☐ The court finds that the defendant is subject to sentencing under RCW 9.94A.712.

☐ A special verdict/finding for use of firearm was returned on Count(s) _____. RCW 9.94A.602, 9.94A.533. .

☐ A special verdict/finding for use of deadly weapon other than a firearm was returned on Count(s) _____, RCW 9.94A.602, 9.94A.533.

☐ A special verdict/finding for Violation of the Uniform Controlled Substances Act was returned on Count(s) _____, RCW 69.50.401 and RCW 69.50.435, taking place in a school, school bus, within 1000 feet of the perimeter of a school grounds or within 1000 feet of a school bus route stop designated by the school district; or in a public park, public transit vehicle, or public transit stop shelter; or in, or within 1000 feet of the perimeter of a civic center designated as a drug-free zone by a local government authority, or in a public housing project designated by a local governing authority as a drug-free zone.

- ☐ A special verdict/finding that the defendant committed a crime involving the manufacture of methamphetamine, including its salts, isomers, and salts of isomers, when a juvenile was present in or upon the premises of manufacture was returned on Count(s) _____, RCW 9.94A.605, RCW 69.50.401, RCW 69.50.440.
- ☐ The defendant was convicted of vehicular homicide which was proximately caused by a person driving a vehicle while under the influence of intoxicating liquor or drug or by the operation of a vehicle in a reckless manner and is therefore a violent offense. RCW 9.94A.030.
- ☐ This case involves kidnapping in the first degree, kidnapping in the second degree, or unlawful imprisonment as defined in chapter 9A.40 RCW, where the victim is a minor and the offender is not the minor's parent. RCW 9A.44.130.
- ☐ The court finds that the offender has a chemical dependency that has contributed to the offense(s). RCW 9.94A.607.
- ☒ For the crime(s) charged in Count I + III, domestic violence was pled and proved. RCW 10.99.020.
- ☒ The crime charged in Count(s) I + III involve(s) domestic violence.
- ☐ Other current convictions listed under different cause numbers used in calculating the offender score are (list offense and cause number):

CRIME	CAUSE NUMBER	COURT (COUNTY & STATE)	DV* YES

* DV: Domestic Violence was pled and proved

None of the current offenses constitute same criminal conduct except: _____

2.2 CRIMINAL HISTORY (RCW 9.94A.525):

CRIME	DATE OF SENTENCE	SENTENCING COURT (County & State)	DATE OF CRIME	A or J Adult, Juv.	TYPE OF CRIME	DV* YES
1 N/A						
2						
3						
4						
5						

* DV: Domestic Violence was pled and proved

- ☐ Additional criminal history is attached in Appendix 2.2.
- ☐ The defendant committed a current offense while on community placement (adds one point to score). RCW 9.94A.525.
- ☐ The court finds that the following prior convictions are one offense for purposes of determining the offender score (RCW 9.94A.525):

☐ The following prior convictions are not counted as points but as enhancements pursuant to RCW 46.61.520:

None of the prior convictions constitutes same criminal conduct except: _____

2.3 SENTENCING DATA:

COUNT	OFFENDER SCORE	SERIOUSNESS LEVEL	STANDARD RANGE	ENHANCEMENTS*	TOTAL STANDARD RANGE	MAXIMUM TERM
I	1	XV	187.5-249.75 months	N/A	187.5-249.75 months	Life
II	0	XV	180-240 months	Consecutive with Count I	367.5-489.75 months	Life
III	N/A	GM	0-364 days	N/A	0-364 days	364 days

* (F) Firearm, (D) Other deadly weapons, (V) VUCSA in a protected zone, (VH) Veh. Horn, see RCW 46.61.520, (JP) Juvenile present. ☐ Additional current offense sentencing data is attached in Appendix 2.3.

2.4 ☐ EXCEPTIONAL SENTENCE. Substantial and compelling reasons exist which justify an exceptional sentence:

☐ within ☐ below the standard range for Count(s) _____.

☐ above the standard range for Count(s) _____.

☐ The defendant and state stipulate that justice is best served by imposition of the exceptional sentence above the standard range and the court finds the exceptional sentence furthers and is consistent with the interests of justice and the purposes of the sentencing reform act.

☐ Aggravating factors were ☐ stipulated by the defendant, ☐ found by the court after the defendant waived jury trial, ☐ found by jury by special interrogatory.

Findings of fact and conclusions of law are attached in Appendix 2.4. ☐ Jury's special interrogatory is attached.

The Prosecuting Attorney ☐ did ☐ did not recommend a similar sentence.

2.5 ABILITY TO PAY LEGAL FINANCIAL OBLIGATIONS. The court has considered the total amount owing, the defendant's past, present and future ability to pay legal financial obligations, including the defendant's financial resources and the likelihood that the defendant's status will change. The court finds that the defendant has the ability or likely future ability to pay the legal financial obligations imposed herein. RCW 9.94A.753.

☐ The following extraordinary circumstances exist that make restitution inappropriate (RCW 9.94A.753):

2.6 For violent offenses, most serious offenses, or armed offenders recommended sentencing agreements or plea agreements are ☐ attached ☐ as follows: _____

III. JUDGMENT

3.1 The defendant is GUILTY of the Counts and Charges listed in Paragraph 2.1 and Appendix 2.1.

3.2 ☐ The court DISMISSES Counts _____ ☐ The defendant is found NOT GUILTY of Counts _____

IV. SENTENCE AND ORDER

IT IS ORDERED:

4.1 Defendant shall pay to the Clerk of this Court:

JASS CODE

\$ RESERVED Restitution to: _____

RTN/RJN

\$ _____ Restitution to: _____

\$ _____ Restitution to: _____

(Name and Address--address may be withheld and provided confidentially to Clerk of the Court's office.)

PCV	\$ 500.00	Victim assessment	RCW 7.68.035
	\$ 100.00	Domestic Violence assessment	RCW 10.99.080
CRC	\$ 200.00	Court costs, including RCW 9.94A.760, 9.94A.505, 10.01.160, 10.46.190	
		Criminal filing fee \$ _____ FRC	
		Witness costs \$ _____ WFR	
		Sheriff service fees \$ _____ SFR/SFS/STW/WRF	
		Jury demand fee \$ _____ JFR	
		Extradition costs \$ _____ EXT	
		Other \$ _____	
PUB	\$ _____	Fees for court appointed attorney	RCW 9.94A.760
WFR	\$ _____	Court appointed defense expert and other defense costs	RCW 9.94A.760
FCM/MTH	\$ _____	Fine RCW 9A.20.021; [] VUCSA chapter 69.50 RCW, [] VUCSA additional fine deferred due to indigency RCW 69.50.430	
CDF/LDI/PCD	\$ _____	Drug enforcement fund of Thurston County	RCW 9.94A.760
NTF/SAD/SDI	\$ _____	Thurston County Drug Court Fee	
CLF	\$ _____	Crime lab fee [] suspended due to indigency	RCW 43.43.690
	\$ 100.00	Felony DNA collection fee [] not imposed due to hardship	RCW 43.43.7541
RTN/RJN	\$ _____	Emergency response costs (Vehicular Assault, Vehicular Homicide only, \$1000 maximum)	RCW 38.52.430
	\$ _____	Other costs for: _____	
	\$ 900.00	TOTAL	RCW 9.94A.760

The above total may not include all restitution or other legal financial obligations, which may be set by later order of the court. An agreed restitution order may be entered. RCW 9.94A.753. A restitution hearing may be set by the prosecutor or is scheduled for _____.

[] RESTITUTION. Schedule attached.

[] Restitution ordered above shall be paid jointly and severally with:

	NAME of other defendant	CAUSE NUMBER	(Victim's name)	(Amount-\$)
RJN	_____	_____	_____	_____
	_____	_____	_____	_____
	_____	_____	_____	_____

The Department of Corrections (DOC) or clerk of the court shall immediately issue a Notice of Payroll Deduction. RCW 9.94A.7602, RCW 9.94A.760(8).

All payments shall be made in accordance with the policies of the clerk of the court and on a schedule established by DOC or the clerk of the court, commencing immediately, unless the court specifically sets forth the rate here: Not less than \$ _____ per month commencing _____, RCW 9.94A.760.

The defendant shall report as directed by the clerk of the court and provide financial information as requested. RCW 9.94A.760(7)(b).

The financial obligations imposed in this judgment shall bear interest from the date of the judgment until payment in full, at the rate applicable to civil judgments. RCW 10.82.090. An award of costs on appeal against the defendant may be added to the total legal financial obligations. RCW 10.73.160.

[] In addition to the other costs imposed herein, the court finds that the defendant has the means to pay for the cost of incarceration and is ordered to pay such costs at the rate of \$50.00 per day, unless another rate is specified here:
(JLR) RCW 9.94A.760.

4.2 DNA TESTING. The defendant shall have a biological sample collected for purposes of DNA identification analysis and the defendant shall fully cooperate in the testing. The appropriate agency shall be responsible for obtaining the sample prior to the defendant's release from confinement. RCW 43.43.754.

[] HIV TESTING. The defendant shall submit to HIV testing. RCW 70.24.340.

4.3 The defendant shall not have contact with Lisa Cox (DOB: 3/10/71) (name, DOB) including, but not limited to, personal, verbal, telephonic, written or contact through a third party for Life years (not to exceed the maximum statutory sentence).

☒ Domestic Violence No-Contact Order or Antiharassment No-Contact Order is filed with this Judgment and Sentence.

4.4 OTHER: _____

4.5 CONFINEMENT OVER ONE YEAR. The defendant is sentenced as follows:

(a) CONFINEMENT. RCW 9.94A.589. Defendant is sentenced to the following term of total confinement in the custody of the Department of Corrections (DOC):

<u>218-63</u> months on Count <u>I</u>	<u>180</u> months on Count <u>II</u>
<u>364</u> days on Count <u>III</u>	_____ months on Count _____
_____ months on Count _____	_____ months on Count _____

Actual number of months of total confinement ordered is: 398-63 months.
(Add mandatory firearm and deadly weapons enhancement time to run consecutively to other counts, see Section 2.3, Sentencing Data, above.)

[] The confinement time on Count(s) _____ contain(s) a mandatory minimum term of _____.

NON-FELONY COUNTS:

Sentence on counts III is/are suspended for 24 months on the condition that the defendant comply with all requirements outlined in the supervision section of this sentence.

0 days of jail are suspended on Count III
_____ days of jail are suspended on Count _____

All counts shall be served concurrently, except for the portion of those counts for which there is a special finding of a firearm or other deadly weapon as set forth above at Section 2.3, and except for the following counts which shall be served consecutively: Counts I and II shall be served

consecutively as required per RCW for serious violent offenses.

~~The sentence herein shall run consecutively with the sentence in cause number(s)~~

Count III shall be served concurrently with Count I.
but concurrently to any other felony cause not referred to in this Judgment. RCW 9.94A.589.

Confinement shall commence immediately unless otherwise set forth here: _____

The defendant shall receive credit for time served prior to sentencing if that confinement was solely under this cause number. RCW 9.94A.505. The time served shall be computed by the jail unless the credit for time served prior to sentencing is specifically set forth by the court: _____

4.6 ☒ **COMMUNITY CUSTODY** is ordered as follows:

Count I for a range from 36 to 36 months;

Count II for a range from 36 to 36 months;

Count III for a range from 12 to 12 months;

Community Custody for Counts I and II are consecutive for a total of 72 months.
or for the period of earned release awarded pursuant to RCW 9.94A.728(1) and (2), whichever is longer, and standard mandatory conditions are ordered. [See RCW 9.94A.700 and .705 for community placement offenses, which include serious violent offenses, second degree assault, any crime against a person with a deadly weapon finding and chapter 69.50 or 69.52 RCW offenses not sentenced under RCW 9.94A.660 committed before July 1, 2000. See RCW 9.94A.715 for community custody range offenses, which include sex offenses not sentenced under RCW 9.94A.712 and violent offenses committed on or after July 1, 2000. Use paragraph 4.7 to impose community custody following work ethic camp.] **STATUTORY LIMIT ON SENTENCE.** Notwithstanding the length of confinement plus any community custody imposed on any individual charge, in no event will the combined confinement and community custody exceed the statutory maximum for that charge. Those maximums are: Class A felony--life in prison; Class B felony--ten (10) years in prison; Class C felony--5 (5) years in prison.

On or after July 1, 2003, DOC shall supervise the defendant if DOC classifies the defendant in the A or B risk categories; or, DOC classifies the defendant in the C or D risk categories and at least one of the following apply:

a) the defendant committed a current or prior:		
i) Sex offense	ii) Violent offense	iii) Crime against a person (RCW 9.94A.411)
iv) Domestic violence offense (RCW 10.99.020)	v) Residential burglary offense	
vi) Offense for manufacture, delivery or possession with intent to deliver methamphetamine including its salts, isomers, and salts of isomers,		
vii) Offense for delivery of a controlled substance to a minor; or attempt, solicitation or conspiracy (vi, vii)		
b) the conditions of community placement or community custody include chemical dependency treatment.		
c) the defendant is subject to supervision under the interstate compact agreement, RCW 9.94A.745.		

While on community placement or community custody, the defendant shall: (1) report to and be available for contact with the assigned community corrections officer as directed; (2) work at DOC-approved education, employment and/or community restitution (service); (3) not consume controlled substances except pursuant to lawfully issued prescriptions; (4) not unlawfully possess controlled substances while in community custody; (5) pay supervision fees as determined by DOC; and (6) perform affirmative acts necessary to monitor compliance with the orders of the court as required by DOC. The residence location and living arrangements are subject to the prior approval of DOC while in community placement or community custody. Community custody for sex offenders not sentenced under RCW 9.94A.712 may be extended for up to the statutory maximum term of the sentence. Violation of community custody imposed for a sex offense may result in additional confinement.

Pay all court-ordered legal financial obligations

Report as directed to a community corrections officer

Notify the community corrections officer in advance of any change in defendant's address or employment

Remain within prescribed geographical boundaries to be set by CCO

☐ The defendant shall not consume any alcohol and shall submit to random breath testing as directed by DOC for purposes of monitoring compliance with this condition.

☒ Defendant shall have no contact with: Lisa Cox and/or Ray Lopez-Oliver for life.

☐ The defendant shall undergo evaluation and fully comply with all recommended treatment for the following:

☐ Substance Abuse

☐ Mental Health

☐ Sexual Deviancy

☐ Anger Management

☐ Other: _____

☐ DV Treatment Review Hearing is set for _____ at _____.

☐ The defendant shall enter into and complete a certified domestic violence program as required by DOC or as follows: _____

☐ The defendant shall not use, possess, manufacture or deliver controlled substances without a valid prescription, not associate with those who use, sell, possess, or manufacture controlled substances and submit to random urinalysis at the direction of his/her CCO to monitor compliance with this condition.

☒ The defendant shall comply with the following additional crime-related prohibitions: No new

criminal law violations.

Other conditions may be imposed by the court or DOC during community custody, or are set forth here: _____

The conditions of community supervision or community custody shall begin immediately unless otherwise set forth here: _____

4.7 ☐ **WORK ETHIC CAMP.** RCW 9.94A.690, RCW 72.09.410. The court finds that the defendant is eligible and is likely to qualify for work ethic camp and the court recommends that the defendant serve the sentence at a work ethic camp. Upon completion of work ethic camp, the defendant shall be released on community custody for any remaining time of total confinement, subject to the conditions below. Violation of the conditions of community custody may result in a return to total confinement for the balance of the defendant's remaining time of total confinement. The conditions of community custody are stated above in Section 4.6.

4.8 **OFF LIMITS ORDER** (known drug trafficker) RCW 10.66.020. The following areas are off limits to the defendant while under the supervision of the county jail or Department of Corrections: _____

V. NOTICES AND SIGNATURES

5.1 **COLLATERAL ATTACK ON JUDGMENT.** Any petition or motion for collateral attack on this Judgment and Sentence, including but not limited to any personal restraint petition, state habeas corpus petition, motion to vacate judgment, motion to withdraw guilty plea, motion for new trial or motion to arrest judgment, must be filed within one year of the final judgment in this matter, except as provided for in RCW 10.73.100. RCW 10.73.090.

5.2 **LENGTH OF SUPERVISION.** For an offense committed prior to July 1, 2000, the defendant shall remain under the court's jurisdiction and the supervision of the Department of Corrections for a period up to 10 years from the date of sentence or release from confinement, whichever is longer, to assure payment of all legal financial obligations unless the court extends the criminal judgment an additional 10 years. For an offense committed on or after July 1, 2000, the court shall retain jurisdiction over the offender, for the purpose of the offender's compliance with payment of the legal financial obligations, until the obligation is completely satisfied, regardless of the statutory maximum for the crime. RCW 9.94A.760 and RCW 9.94A.505(5). The clerk of the court is authorized to collect unpaid legal financial obligations at any time the offender remains under the jurisdiction of the court for purposes of his or her legal financial obligations. RCW 9.94A.760(4) and RCW 9.94A.753(4).

5.3 **NOTICE OF INCOME-WITHHOLDING ACTION.** If the court has not ordered an immediate notice of payroll deduction in Section 4.1, you are notified that the Department of Corrections or the clerk of the court may issue a notice of payroll deduction without notice to you if you are more than 30 days past due in monthly payments in an amount equal to or greater than the amount payable for one month. RCW 9.94A.7602. Other income-withholding action under RCW 9.94A.760 may be taken without further notice. RCW 9.94A.7606.

5.4 **RESTITUTION HEARING.**

☒ Defendant waives any right to be present at any restitution hearing (sign initials): RGL

5.5 Any violation of this Judgment and Sentence is punishable by up to 60 days of confinement per violation. RCW 9.94A.634.

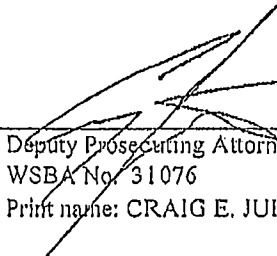
5.6 **FIREARMS.** You must immediately surrender any concealed pistol license and you may not own, use or possess any firearm unless your right to do so is restored by a court of record. (The clerk of the court shall forward a copy of the defendant's driver's license, identicard, or comparable identification to the Department of Licensing along with the date of conviction or commitment.) RCW 9.41.040, 9.41.047.

5.7 ☐ The court finds that Count _____ is a felony in the commission of which a motor vehicle was used. The clerk of the court is directed to immediately forward an Abstract of Court Record to the Department of Licensing, which must revoke the defendant's driver's license. RCW 46.20.285.

5.8 If the defendant is or becomes subject to court-ordered mental health or chemical dependency treatment, the defendant must notify DOC and the defendant's treatment information must be shared with DOC for the duration of the defendant's incarceration and supervision. RCW 9.94A.562.

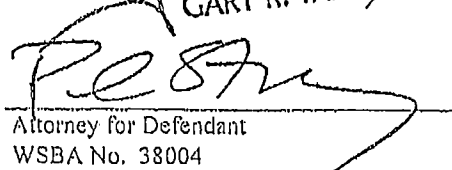
5.9 **OTHER:** Bail previously posted, if any, is hereby exonerated and shall be returned to the posting party.

DONE in Open Court and in the presence of the defendant this date: 3/4/14


Deputy Prosecuting Attorney
WSBA No. 31076
Print name: CRAIG E. JURIS

Judge/Print name:


GARY R. TABOR


Attorney for Defendant
WSBA No. 38004
Print name: PAUL ANTHONY STROPHY

VOTING RIGHTS STATEMENT: RCW 10.64.140. I acknowledge that my right to vote has been lost due to felony conviction. If I am registered to vote, my voter registration will be cancelled. My right to vote may be restored by: a) A certificate of discharge issued by the sentencing court, RCW 9.94A.637; b) A court order issued by the sentencing court restoring the right, RCW 9.92.066; c) A final order of discharge issued by the indeterminate sentence review board, RCW 9.96.050; or d) A certificate of restoration issued by the governor, RCW 9.96.020. Voting before the right is restored is a class C felony, RCW 92A.84.660.

Defendant's signature: _____

I am a certified interpreter of, or the court has found me otherwise qualified to interpret, the _____ language, which the defendant understands. I translated this Judgment and Sentence for the defendant into that language.
Interpreter signature/Print name: _____

I, _____, Clerk of this Court, certify that the foregoing is a full, true and correct copy of the Judgment and Sentence in the above-entitled action now on record in this office.

WITNESS my hand and seal of the said Superior Court affixed this date: _____.

Clerk of the Court of said county and state, by: _____, Deputy Clerk

IDENTIFICATION OF DEFENDANT

SID No. WA27196543

(If no SID take fingerprint card for State Patrol)

Date of Birth 05/01/1969

FBI No. 846127VD8

Local ID No. _____

PCN No. 767144130

Other _____

Alias name, DOB: _____

Race:

☐ Asian/Pacific
Islander

☐ Black/African-American

☒ Caucasian

Ethnicity:

☐ Hispanic

Sex:

☒ Male

☐ Native American

☐ Other: _____

☒ Non-Hispanic

☐ Female

FINGERPRINTS: I attest that I saw the same defendant who appeared in court on this document affix his or her fingerprints and signature thereto. Clerk of the Court, Deputy Clerk, S. Williams Dated: 3/4/11

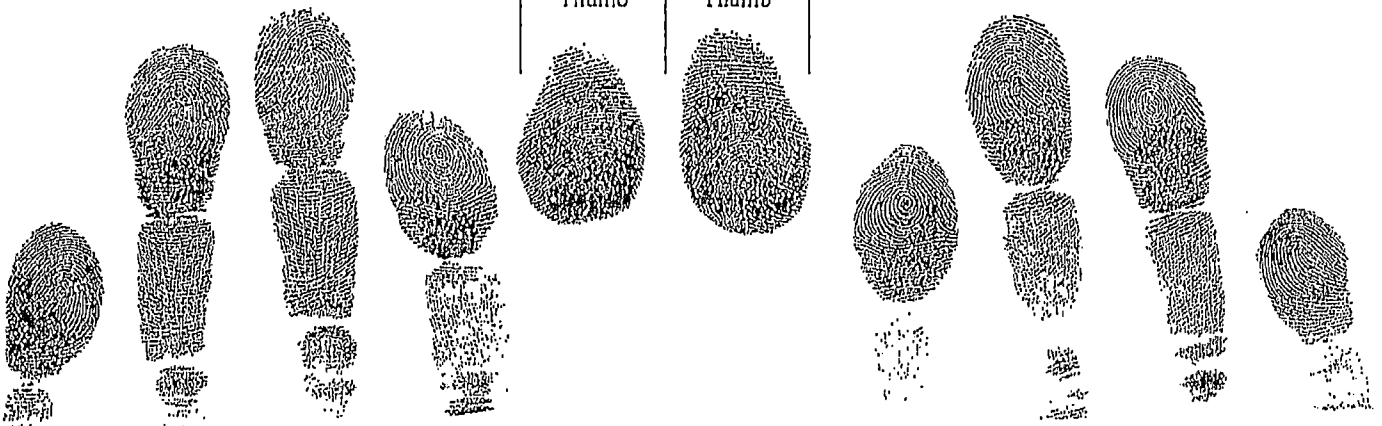
DEFENDANT'S SIGNATURE: [Signature]

Left four fingers taken simultaneously

Left
Thumb

Right
Thumb

Right four fingers taken simultaneously



NOVEMBER 6, 2019

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON
DIVISION II

STATE OF WASHINGTON,

Respondent,

v.

BRIAN GLENN COX,

Appellant.

No. 45971-0-II

UNPUBLISHED OPINION

JOHANSON, J. — On remand from the Supreme Court,¹ Brian Glenn Cox appeals his jury trial convictions for two counts of criminal solicitation of first degree murder and one count of a gross misdemeanor violation of a protection order (DV-VPO) and his resulting sentence. He argues that (1) the trial court violated his public trial right, (2) the jury was not unanimous in its DV-VPO conviction, (3) the prosecutor committed misconduct regarding one count of solicitation, (4) his counsel was ineffective when he failed to object to the misconduct, (5) the sentencing court miscalculated his offender score for the other count of solicitation, and (6) his counsel was

¹ On direct appeal, we reversed Cox's convictions and held that the trial court denied Cox his right to a public trial when the trial court excused jurors for cause amidst jury selection during a sidebar conference effecting an improper trial closure. *State v. Cox*, noted at 187 Wn. App. 1038, remanded, 184 Wn.2d 1009 (2015). After remand from the Supreme Court, we requested supplemental briefing on the public trial issue.

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ineffective when he failed to object to the offender score miscalculation. Cox (7) raises multiple additional arguments in his statement of additional grounds (SAG).²

We hold (1) in light of our Supreme Court's decision in *State v. Love*,³ the sidebar conference did not constitute a courtroom closure and the trial court did not violate Cox's right to a public trial. We further hold that (2) express unanimity is not required because there was sufficient evidence of both alternative means of violating the protection order, (3) Cox waived his prosecutorial misconduct argument, (4) defense counsel did not provide ineffective assistance when he did not object to the State's closing argument, (5) the sentencing court properly calculated Cox's offender score, (6) defense counsel did not provide ineffective assistance when he did not object to the calculation of Cox's offender score, and (7) Cox's SAG arguments either fail or cannot be addressed. We affirm his convictions and sentences.

FACTS

I. BACKGROUND FACTS

In 2013, Cox and his estranged wife, Lisa Cox, were embroiled in a contentious divorce. In March 2013, Lisa⁴ obtained a protection order against Cox. One provision of the protection order restrained Cox from harassing Lisa. A second provision restrained Cox from contacting or coming near Lisa. Another provision prohibited Cox from knowingly coming within 500 feet of

² RAP 10.10.

³ 183 Wn.2d 598, 354 P.3d 841 (2015), *cert. denied*, 136 S. Ct. 1524 (2016).

⁴ For clarity, we refer to Lisa Cox by her first name.

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Lisa's residence, although Cox was allowed to use the road near Lisa's residence, Capitol Boulevard, to commute to his workplace.

A few days after Lisa obtained the protection order, she reported to the police that Cox had violated the order. She told the police that Cox had tailgated her on Capitol Boulevard, honking and "[e]xtending his middle finger" toward her. 1 Report of Proceedings (RP) at 153. Cox later testified that he was commuting home from work.

In April 2013, Cox told his coworker, Ray Lopez-Ortiz, about the divorce and offered him half of the life insurance policy on Lisa to make Lisa "permanently disappear." 2 RP at 281. With the police recording, Lopez-Ortiz called Cox to confirm that Cox was serious about having his wife killed, and Cox and Lopez-Ortiz arranged a meeting.

The day of the meeting, the police hid audio and video recorders on Lopez-Ortiz and listened as Cox told Lopez-Ortiz that Cox was "totally serious" and that "I still want that b**** dead, and [i]t's still worth 10 Grand to me." Ex. 8 at 1-2. The police arrested Cox within an hour for soliciting Lisa's murder. The police interviewed Cox that day. Because of a technical issue, about 40 minutes of the interview were not recorded.

For about a month of his pretrial incarceration, Cox was cellmates with Kenneth Parmley. According to Parmley, Cox said that he had been set up by Lopez-Ortiz; Cox asked Parmley if Parmley or someone Parmley knew could "get rid of" Lopez-Ortiz. 3 RP at 482. Hoping to make a deal with the State, Parmley instead reported the conversations.

The State charged Cox with three counts: count I, criminal solicitation of Lisa's murder; count II, criminal solicitation of Lopez-Ortiz's murder; and count III, gross misdemeanor DV-VPO.

II. JURY TRIAL

A. JURY SELECTION

Cox's trial took place in February 2014. During jury selection, the trial court held a sidebar conference in open court, after which the trial court excused three jurors for cause on the record:

THE COURT: . . . I'd like to make a record of sidebar we had before we selected the jury. At that time, there were requests to excuse for cause No. 6, 40 and 43. The state did not object to 6 or 40. The state did object to 43. They indicated in my thinking we were not going to reach 43 anyway and we did not, but I granted the challenges for cause for each of those three, 6, 40 and 43.

Does anybody need to put anything else on the record in that regard?

[STATE]: Your Honor, just to be specific, I think with 6 and 40, it was actually the state that made the request, made the motion, but I think they might have been agreed or stipulated by defense, but I think just for technicality purposes that was --

THE COURT: That's right. It was you that made the objection.

[COX]: And I agree, it was the state that made the strike for cause and I did not object to either one.

....
[THE COURT:] Is there anything else I need to memorialize about any sidebars or actions outside the record?

1 RP at 126-27. Both counsel were satisfied with the record.

B. DV-VPO (COUNT III)

At trial, Lisa testified that in March 2013, a few days after she obtained the protection order against Cox, she noticed Cox driving behind her on Capitol Boulevard and honking his horn. Cox accelerated, driving so closely behind her that she could not brake without risking a collision with Cox's vehicle. Cox tailgated Lisa for about a block, "[e]xtending his middle finger" toward her and "mouthing things." 1 RP at 153-54.

Cox testified that Lisa, not Cox, had initiated the encounter. He claimed that he was returning from his workplace that day when he noticed Lisa driving in front of him. Lisa "brake checked [him]," nearly causing Cox to collide with her car, and "flipped [him] off." 4 RP at 674.

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In response, Cox "laid on the horn," returned the gesture, and mouthed words to Lisa. 4 RP at 674.

C. SOLICITATION TO MURDER LISA (COUNT I)

The State presented Lopez-Ortiz's testimony and recordings of his phone call and meeting with Cox in which Cox solicited Lopez-Ortiz to murder Lisa. Lopez-Ortiz testified that he had ridden the elevator with Cox at work one day and that Cox offered Lopez-Ortiz half the life insurance policy on Lisa's life if he made her "permanently disappear." 2 RP at 290.

During the recorded conversation, Lopez-Ortiz telephoned Cox and arranged to meet him in person. Cox told Lopez-Ortiz that "[t]his makes me very happy" and that Cox was "willing to go into debt for [Lopez-Ortiz] if [he] did this for [Cox]." Ex. 7 at 3. After the call ended, Lopez-Ortiz can be heard on the recording commenting to the police that Cox was "not joking." Ex. 7 at 4.

On the day of the meeting, Cox took Lopez-Ortiz, on whom audio and video recorders were hidden, to a secluded area at work. Lopez-Ortiz asked Cox if he was serious or if it was "a bad joke." Ex. 8 at 1. Cox said that he was "totally serious" but that Cox was no longer the beneficiary of Lisa's life insurance policy. Ex. 8 at 1. Regardless, Cox said, "I still want that b**** dead, and [i]t's still worth 10 Grand to me." Ex. 8 at 2. Smiling, he told Lopez-Ortiz that "we're talking murder here, man." Ex. 8 at 4. Cox said that in the next month or two he would receive a six-figure injury settlement so that Cox could pay Lopez-Ortiz and that Cox would "get back to [Lopez-Ortiz]." Ex. 8 at 5.

When Cox testified, he confirmed that he had been the first one to bring up murdering Lisa. As he exited the elevator, Cox turned to Lopez-Ortiz and said that he would split an insurance

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policy on Lisa's life with Lopez-Ortiz if Lopez-Ortiz made Lisa "disappear." 4 RP at 690. Cox testified that he was only joking and that he wanted to "call [Lopez-Ortiz's] bluff" when Cox suggested a meeting. 4 RP at 691. But Cox also said he was extremely frustrated and "in a very dark place," so he wanted to know if Lopez-Ortiz was serious. 4 RP at 692. Cox also testified that he had told Parmley that Cox felt like he had been "set up" by Lopez-Ortiz and that "it appeared to be entrapment." 4 RP at 711.

D. SOLICITATION TO MURDER LOPEZ-ORTIZ (COUNT II)

Parmley testified that Cox thought the only way to avoid a conviction for planning to murder Lisa would be for Lopez-Ortiz to "disappear." 3 RP at 481. Cox asked for Parmley's assistance, and Parmley said that he had a friend who would kill Lopez-Ortiz and dispose of his body on a pig farm.

Hoping to make a deal with the State, Parmley told the police about his conversations with Cox. However, the State never promised any favorable treatment, and Parmley received no special consideration for the information he provided. Parmley said that after the other inmates found out he had assisted the police, he was physically confronted and treated "[l]ike slime." 3 RP at 508.

Cox claimed that he had never asked Parmley to make anyone "disappear" and that Parmley had volunteered to help Cox in exchange for Cox paying Parmley's bail. 4 RP at 714. Cox testified that he never offered or agreed to pay any money to Parmley. Another inmate testified that Parmley had said Cox was Parmley's "'golden ticket out of [prison].'" 4 RP at 620.

E. JURY INSTRUCTIONS AND CLOSING ARGUMENT

The trial court instructed the jury on the elements of a DV-VPO. Part of those instructions required the jury to find beyond a reasonable doubt that "the defendant knowingly violated a

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restraint provision of the order prohibiting contact with a protected party or a provision of the order excluding the person from a residence, school, workplace, or daycare.” Clerk’s Papers (CP) at 88.

During closing argument, the prosecutor stated that a person commits a DV-VPO when he “knowingly violates restraint provisions of the order prohibiting contact with the protected party or provision[s] of the order excluding the person from a residence.” 5 RP at 851. The prosecutor explained that “[n]o one is saying [Cox] went into a location he wasn’t supposed to. . . . I would submit to you there’s actually two parts of this order that were violated and we talked about the contact,” 5 RP at 855. The other provision that was violated, the prosecutor argued, was the no-harassment provision.

The prosecutor also discussed Parmley’s credibility. The prosecutor emphasized that Parmley had never been promised nor received any favorable treatment for his testimony. “[Parmley’s] already been labeled an informant, a snitch, he’s already been verbally and physically assaulted on multiple occasions.” 5 RP at 910. He “never backed out even after he knew he wasn’t getting a deal. . . . [H]e kept going with law enforcement, he kept cooperating and came in and testified even knowing [he would not get a deal].” 5 RP at 911. Cox did not object to these comments.

III. VERDICT AND SENTENCING

The jury found Cox guilty of all three counts. Before sentencing, Cox submitted a sentencing memorandum that conceded his offender score for the solicitation of Lisa’s murder (count I) should include one point for his gross misdemeanor DV-VPO conviction (count III).

The sentencing court calculated an offender score of “1” for the solicitation of Lisa’s murder (count I). The court sentenced Cox to imprisonment for 218.63 months on count I, 180

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months on the solicitation of Lopez-Ortiz's murder (count II), and 364 days for the gross misdemeanor DV-VPO (count III), with counts I and II running consecutively and count III running concurrently. The solicitation of Lisa's murder (count I) and the DV-VPO (count III) were both domestic violence offenses. Cox appeals his convictions and sentence.

ANALYSIS

I. PUBLIC TRIAL RIGHT

Cox argues that our decision on direct appeal vacating his conviction due to a public trial violation should be upheld because *Love* is distinguishable. Cox argues that unlike in *Love*, there is no transcript here of the for-cause sidebar discussion for public review and scrutiny. We hold that the safeguards identified in *Love* are present here.

A. STANDARD OF REVIEW AND APPLICABLE RULES OF LAW

Whether the trial court has violated a defendant's right to a public trial is a question of law that we review de novo. *State v. Smith*, 181 Wn.2d 508, 513, 334 P.3d 1049 (2014). "A three-step framework guides our analysis in public trial cases." *State v. Love*, 183 Wn.2d 598, 605, 354 P.3d 841 (2015), *cert. denied*, 136 S. Ct. 1524 (2016). First, we ask does the public trial right attach to the proceeding at issue? *Love*, 183 Wn.2d at 605. Second, if the right attaches, we ask was the courtroom closed? *Love*, 183 Wn.2d at 605. Third, if the appellant established there was a closure, we determine whether the closure was justified. *Love*, 183 Wn.2d at 605. The appellant bears the burden of proving whether the public trial right attaches to the proceeding and whether there was a courtroom closure. *Love*, 183 Wn.2d at 605.

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First, it is established that for-cause challenges implicate the public trial right. *Love*, 183 Wn.2d at 606. Thus, at issue here is whether Cox demonstrates the for-cause sidebar discussion amounts to a "closure" under *Love*.

In *Love*, voir dire occurred in open court, and at the close of questioning, the attorneys approached the bench and the court reporter transcribed the discussion regarding the for-cause challenges. 183 Wn.2d at 602.

Love argued that the possibility that spectators at his trial could not hear the discussion about for-cause challenges rendered this portion of his trial inaccessible to the public. *Love*, 183 Wn.2d at 606. The *Love* court disagreed and held that there had been no closure. 183 Wn.2d at 606. The court explained,

[T]he public had ample opportunity to oversee the selection of *Love*'s jury because no portion of the process was concealed from the public; no juror was questioned in chambers. To the contrary, observers could watch the trial judge and counsel ask questions of potential jurors, listen to the answers to those questions, see counsel exercise challenges at the bench and on paper, and ultimately evaluate the empaneled jury. The transcript of the discussion about for cause challenges and the struck juror sheet showing the peremptory challenges are both publically available. The public was present for and could scrutinize the selection of *Love*'s jury from start to finish, affording him the safeguards of the public right missing in cases where we found closures of jury selection.

Love, 183 Wn.2d at 607.

Here, Cox does not dispute that the for-cause challenges discussion occurred in open court. He argues only that the *transcript* of the trial court's *summary* of the sidebar discussion regarding the for-cause challenges is not equivalent to the transcript of the actual sidebar discussion in *Love*. Cox cites no authority for his argument that a trial court's on-the-record summary of the sidebar discussion does not provide an equivalent safeguard to his public trial right as the transcript of the sidebar discussion did in *Love*.

The State argues that the record the trial court made after the jury was seated is not “less of a record” than the transcript set forth in the *Love* opinion. Suppl. Br. of Resp’t at 4. The State correctly points out that neither attorney objected to the record the trial court made and that this record was available to the public.

We reject Cox’s assertion that a transcript of the trial court’s summary of the sidebar conference is not the equivalent of a transcript of the sidebar conference itself. The *Love* court did not hold that a transcript of the actual sidebar discussion was required to avoid a courtroom closure. Following *Love*, we evaluate whether juror questioning took place in open court, whether the public could see the for-cause challenges taking place at the sidebar conference, and whether the court made a publicly available record of the sidebar conference. 183 Wn.2d at 607. Those factors are met here, and thus Cox was afforded the “assurance of the fairness” secured by public scrutiny as required by open court jurisprudence. *Love*, 183 Wn.2d at 607.

II. JURY UNANIMITY ON THE DV-VPO (COUNT III)

Cox contends that the prosecutor violated his right to a unanimous jury when the prosecutor argued in closing that Cox had violated both the no-contact and no-harassment provisions of the protection order. Cox argues that because there was no way to know which provision the jurors relied on to convict him, his DV-VPO conviction (count III) should be reversed.⁵ We disagree.

⁵ The State argues also that violation of a protection order is not an alternative means crime. However, we need not reach this issue because we conclude that sufficient evidence supports both of the State’s theories, thus no express jury unanimity is required. *State v. Owens*, 180 Wn.2d 90, 95, 323 P.3d 1030 (2014).

A. STANDARD OF REVIEW AND LEGAL PRINCIPLES

Article I, section 21 of the Washington Constitution provides criminal defendants the right to a unanimous jury verdict, including the right to a unanimous jury determination of the means by which the defendant committed the crime. *State v. Owens*, 180 Wn.2d 90, 95, 323 P.3d 1030 (2014). Express jury unanimity as to means is not required, however, when there is sufficient evidence to support both alternative means. *Owens*, 180 Wn.2d at 95. We view the evidence in the light most favorable to the State when we determine whether sufficient evidence exists to support the alternative means. *Owens*, 180 Wn.2d at 99.

B. SUFFICIENT EVIDENCE SUPPORTS BOTH THEORIES

Viewing the evidence in the light most favorable to the State, Cox tailgated his wife and made an obscene gesture, mouthed words, and honked his horn at her. These actions were a violation of the protection order provision prohibiting “harassing” Lisa. Ex. 3 at 2. These actions were also a violation of the protection order provision prohibiting Cox “from having any contact whatsoever” with Lisa. Ex. 3 at 2.

Cox claims that the jury “could have reasonably believed there was no impermissible contact since Cox had a right to be where he was,” so that the evidence of contact is insufficient. Br. of Appellant at 21. But the protection order does not give Cox a right to contact Lisa under any circumstances. The exception allowing Cox to use Capitol Boulevard to commute is an exception from the provision barring Cox from coming within 500 feet of Lisa’s residence. It is not an exception from the no-contact provision.

Because the evidence is sufficient to support both theories argued, we affirm Cox’s DV-VPO conviction (count III).

III. PROSECUTORIAL MISCONDUCT AS TO SOLICITATION TO MURDER LOPEZ-ORTIZ (COUNT II)

Cox argues that the prosecutor committed misconduct because he “impliedly vouched” for the credibility of Parmley, the State’s main witness for the solicitation of Lopez-Ortiz’s murder (count II), during closing arguments. Br. of Appellant at 24. Cox claims that the prosecutor “impliedly vouched” for Parmley’s credibility when the prosecutor argued that Parmley must have been truthful because he had nothing to gain and because his testimony incurred the odium of other inmates and labeled him a “snitch.” Br. of Appellant at 24-25. We conclude that Cox’s argument fails because the prosecutor’s argument was proper.

A. STANDARD OF REVIEW AND LEGAL PRINCIPLES

To prevail on a claim of prosecutorial misconduct, the defendant must show that the prosecutor’s conduct was both improper and prejudicial. *In re Pers. Restraint of Glasmann*, 175 Wn.2d 696, 704, 286 P.3d 673 (2012). Further, where the defendant did not object to the claimed misconduct at trial, the defendant waives the error “unless he establishes that the misconduct was so flagrant and ill intentioned that an instruction would not have cured the prejudice.” *Glasmann*, 175 Wn.2d at 704.

It is improper for a prosecutor to vouch for the credibility of a witness. *State v. Walker*, 182 Wn.2d 463, 478, 341 P.3d 976, *cert. denied*, 135 S. Ct. 2844 (2015). Vouching occurs when a prosecutor expresses a personal belief in the veracity of a witness or indicates that evidence not presented at trial supports the witness’s testimony. *State v. Ish*, 170 Wn.2d 189, 196, 241 P.3d 389 (2010). It is not improper, however, for a prosecutor to draw reasonable inferences from the evidence and argue that a witness is truthful based on those inferences. *State v. McKenzie*, 157

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Wn.2d 44, 57, 134 P.3d 221 (2006). Prosecutors have “wide latitude” to draw and express reasonable inferences. *State v. Boehning*, 127 Wn. App. 511, 519, 111 P.3d 899 (2005).

B. PROSECUTOR’S CLOSING ARGUMENT WAS PROPER

To prevail on a claim of prosecutorial misconduct, Cox must first show the prosecutor’s conduct was improper. This he cannot do.

The prosecutor argued that Parmley had nothing to gain by his testimony because Parmley had “already been labeled an informant, a snitch, [and] he’s already been verbally and physically assaulted on multiple occasions even outside this jail.” 5 RP at 910. The prosecutor noted that Parmley “never backed out even after he knew he wasn’t getting a deal. . . . [H]e kept going with law enforcement, he kept cooperating and came in and testified even knowing [he would not get a deal].” 5 RP at 911. At no point did the prosecutor express a personal belief in Parmley’s truthfulness, nor did he vouch for him. Rather, the prosecutor drew inferences from the evidence the State had presented: that Parmley had initially hoped for a deal, but had not received one, and that Parmley had been treated “[l]ike slime” after the other inmates learned he assisted the police. 3 RP at 508.

Cox relies on the Supreme Court’s statement in *Isa* that “a witness’s testimony that they were speaking the truth and living up to the terms of their plea agreement may amount to a mild form of vouching.” 170 Wn.2d at 197. But the issue in *Isa* was the prosecutor’s reference to a term of a plea agreement requiring the witness to testify “truthfully.” 170 Wn.2d at 193, 195. The Supreme Court’s concern was that the reference implied that the prosecution had some independent means of ensuring that the witness complied with the agreement. *Isa*, 170 Wn.2d at 198. In contrast, here, the prosecutor’s reference did not imply that the prosecutor had some

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independent means of ensuring Parmley told the truth. If anything, the prosecutor's closing argument drew the jury's attention to the fact that there was *no plea agreement* with Parmley and that Parmley apparently had agreed to testify without receiving any favorable treatment from the State. Thus, *Isa* is distinguishable.

Because Cox fails to establish that the closing argument was improper, his prosecutorial misconduct argument must fail.

IV. INEFFECTIVE ASSISTANCE OF COUNSEL AS TO SOLICITATION TO MURDER LOPEZ-ORTIZ (COUNT II)

Cox argues that if his counsel's failure to object to the prosecutor's comments waived his prosecutorial misconduct claim, then his counsel was ineffective. His argument fails.

A. STANDARD OF REVIEW AND LEGAL PRINCIPLES

"A claim that counsel was ineffective is a mixed question of law and fact that we review *de novo*." *State v. Jones*, 183 Wn.2d 327, 338, 352 P.3d 776 (2015). To prevail, the defendant must show that defense counsel's representation was deficient in that it fell below an objective standard of reasonableness and that the defendant suffered prejudice as a result. *Jones*, 183 Wn.2d at 339 (quoting *State v. Benn*, 120 Wn.2d 631, 663, 845 P.2d 289 (1993)). We need not address both prongs of the test if the defendant's showing on one prong is insufficient. *State v. Kylo*, 166 Wn.2d 856, 862, 215 P.3d 177 (2009).

B. NO DEFICIENT PERFORMANCE

As discussed, the prosecutor's argument was not improper "vouching," but proper argument based on the evidence presented at trial and inferences drawn from that evidence. Thus, it was not deficient performance for defense counsel to not object. We hold that Cox fails to

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establish that his trial counsel was ineffective when counsel did not object to the prosecutor's proper closing argument.

V. SENTENCING CALCULATION FOR SOLICITATION TO MURDER LISA (COUNT I)

Cox argues that the sentencing court miscalculated his offender score for solicitation to murder Lisa (count I) when it included his gross misdemeanor DV-VPO conviction (count III) in his offender score and gave Cox a score of "1." Again, we disagree.

A. STANDARD OF REVIEW AND LEGAL PRINCIPLES

We review the calculation of an offender score de novo. *State v. Moeurn*, 170 Wn.2d 169, 172, 240 P.3d 1158 (2010). A defendant's failure to object to an alleged legal error does not waive his challenge to a miscalculated offender score. *In re Pers. Restraint of Goodwin*, 146 Wn.2d 861, 874, 50 P.3d 618 (2002).

The Sentencing Reform Act of 1981 (SRA), ch. 9.94A RCW, determines the sentencing range for most criminal offenses and takes into account the presence and nature of prior convictions.⁶ See RCW 9.94A.525. A sentencing court calculates the "offender score" for a conviction for a felony domestic violence offense by including one point for "a repetitive domestic violence offense as defined in RCW 9.94A.030, where domestic violence as defined in RCW 9.94A.030, was plead [pleaded] and proven." RCW 9.94A.525(21)(c) (alteration in original). A "repetitive domestic violence offense" includes any "[d]omestic violence violation of a

⁶ Cox argues that the SRA's scoring provisions do not apply to his DV-VPO conviction (count III) because it is a gross misdemeanor, not a felony. Although the SRA generally does not use misdemeanors (or gross misdemeanors) to calculate an offender score, it does have rules that allow misdemeanors to be counted towards a felony offender's offender score when that offender is being sentenced for a particular type of crime. See RCW 9.94A.525(21)(c); former RCW 9.94A.030(41)(a)(iii) (2012).

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protection order under chapter . . . 26.50 RCW that is not a felony offense.” Former RCW 9.94A.030(41)(a)(iii).

B. DOMESTIC VIOLENCE OFFENSE

Cox argues that the sentencing court improperly included the gross misdemeanor DV-VPO (count III) in his offender score for his conviction of solicitation of Lisa’s murder (count I). We disagree.

The jury convicted Cox of count III, the DV-VPO, which was charged under chapter 26.50 RCW and was a gross misdemeanor. The DV-VPO conviction was a “repetitive domestic violence offense” under the definition of former RCW 9.94A.030(41). The DV-VPO conviction was counted as one point toward Cox’s offender score for the solicitation of Lisa’s murder (count I), which was a felony domestic violence offense. As explained more fully below, we conclude that the sentencing court properly included the DV-VPO conviction in its offender score calculation for the solicitation of Lisa’s murder.

C. “PRIOR” AND “OTHER CURRENT” CONVICTION

Cox argues that his DV-VPO conviction (count III) was entered on the same day as his conviction for solicitation of Lisa’s murder (count I), so that the DV-VPO conviction is not a “prior” conviction. We disagree.

The offender score statute defines a “prior conviction” as one that exists before the date of sentencing; convictions sentenced on the same date are “other current offenses” under former RCW 9.94A.589 (2002). RCW 9.94A.525(1). But when a person is convicted of multiple serious violent offenses (such as criminal solicitation to murder), the range for the more serious offense is

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determined using both prior convictions *and* “other current convictions that are not serious violent offenses” in the offender score. Former RCW 9.94A.589(1)(b).

Here, the DV-VPO conviction (count III), a gross misdemeanor, is an “other current offense” under former RCW 9.94A.589. Because Cox was convicted of two serious violent offenses (the solicitation convictions for counts I and II), the DV-VPO conviction (count III) was properly used to calculate his offender score. Thus, Cox is incorrect that the DV-VPO conviction cannot be included in his offender score because it is not a “prior” offense. The DV-VPO conviction was properly considered as an “other current offense.” Therefore, we conclude that the sentencing court properly included the DV-VPO conviction (count III) in its offender score calculation for count I.

D. “REPETITIVE” OFFENSE

Cox argues that the DV-VPO conviction (count III) is not “repetitive,” so it cannot be a “repetitive domestic violence offense.” Br. of Appellant at 30-31. Again, we disagree.

In *State v. Rodriguez*, the defendant argued that her nonfelonious domestic violence conviction for violation of a no-contact order (VNCO) should not have been included in calculating her sentence for a felony arising from the same incident. 183 Wn. App. 947, 955, 335 P.3d 448 (2014), *review denied*, 182 Wn.2d 1022 (2015). The defendant acknowledged that the sentencing provision required counting one point for a “repetitive domestic violence offense” as defined in former RCW 9.94A.030. *Rodriguez*, 183 Wn. App. at 953-54. But she argued that the VNCO was not “repetitive” because it was committed at the same time as the felony offense, was against a different victim, and was not part of a repetitive pattern. *Rodriguez*, 183 Wn. App. at 954. We noted that former RCW 9.94A.030(41) defines a “repetitive domestic violence offense”

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as a domestic violence VPO or VNCO. *Rodriguez*, 183 Wn. App. at 958 (quoting RCW 9.94A.525(21)(c)). Thus, we rejected the defendant's argument as contrary to the plain language of the sentencing provision. *Rodriguez*, 183 Wn. App. at 958.

Although in *Rodriguez* the defendant claimed her violation of a *no-contact* order was not "repetitive," both VNCOs and VPOs are included within former RCW 9.94A.030(41)'s definition of "repetitive domestic violence offense." Thus, *Rodriguez* controls here, and we reject Cox's argument regarding the plain language meaning of *repetitive*. The sentencing court properly included Cox's DV-VPO conviction (count III) in its calculation of Cox's offender score. Accordingly, we affirm Cox's sentence for solicitation to commit Lisa's murder (count I) based upon his offender score of "1."

VI. INEFFECTIVE ASSISTANCE OF COUNSEL AS TO SOLICITATION TO MURDER LISA (COUNT I)

Cox argues that if we find he waived his offender score argument when he did not object to an offender score of "1" at sentencing, we should find that Cox has established the elements of ineffective assistance of counsel. But we do not conclude that Cox waived his legal challenge to his offender score.

A defendant does not waive an offender score challenge when he agrees to the offender score at sentencing if the alleged error is legal. *Goodwin*, 146 Wn.2d at 874. Cox's challenge is based on legal error; thus Cox may challenge an error in the calculation of his offender score for the first time on appeal even though he agreed to his offender score at sentencing. Accordingly, we do not address his ineffective assistance of counsel claim.

VII. SAG CLAIMS

In his SAG, Cox raises multiple additional challenges to his conviction. Because we previously addressed Cox's sufficiency of the evidence contentions regarding each count, we need not address those arguments on remand.⁷ Cox's remaining SAG issues all either lack merit or cannot be reviewed for the reasons that follow.

A. MATTERS OUTSIDE THE RECORD

Several issues that Cox raises involve documents and facts not contained in the record before us. Accordingly, we do not review those issues.

Although "[r]eference to the record and citation to authorities" is not necessary, a SAG should refer only to those documents contained in the record on review. RAP 10.10(c). Issues involving facts outside the record are appropriate for a personal restraint petition, not a SAG. *State v. McCreven*, 170 Wn. App. 444, 481, 284 P.3d 793 (2012) (citing *State v. McFarland*, 127 Wn.2d 322, 338, 899 P.2d 1251 (1995)).

1. RECORDING AUTHORIZATION ISSUES

Cox asserts that there was no legitimate reason for the State to seek a recording authorization.⁸ Cox also contends that the request for a second recording authorization (to record his meeting with Lopez-Ortiz) incorrectly stated that it was the "first" such request. Thus, Cox reasons, the video recording of Cox and Lopez-Ortiz's meeting should not have been allowed as

⁷ In our prior opinion, we held that sufficient evidence supported all three of Cox's convictions. *Cox*, noted at 187 Wn. App. 1038.

⁸ It is unclear whether Cox argues that there was no legitimate reason to obtain the first, the second, or both of the recording authorizations that the police obtained.

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evidence. In addition, Cox claims that it was ineffective assistance of counsel for his defense counsel not to move to suppress either authorization.

A diligent search of the record reveals no copy of either authorization or details about the authorizations other than references to their existence. Because Cox's recording authorization-based claims rest on matters outside the record, these issues are not appropriately before us.

2. VIDEO PRESERVATION ISSUE

Cox contends that the police "purposeful[ly]" failed to preserve the recording of his entire interrogation. SAG at 2. In support, Cox alleges several facts outside the record: violation of his *Miranda*⁹ rights, denial of counsel, coercion, lack of a witness, and denial of food and water for the four hours of interrogation.

The failure to preserve evidence that is "potentially useful" to a defendant does not violate due process unless the defendant shows that the police acted in bad faith. *State v. Groth*, 163 Wn. App. 548, 557, 261 P.3d 183 (2011).

The police did not record about 40 minutes of Cox's interrogation due to an equipment malfunction. Cox alleges bad faith because the destruction allowed the police to conceal alleged *Miranda* violations and other improper interrogation techniques. However, Cox fails to cite to any evidence in the record that supports his allegations of police misconduct. As Cox rests his contentions on facts outside the record on appeal, these issues are not appropriately before us.

⁹ *Miranda v. Arizona*, 384 U.S. 436, 86 S. Ct. 1602, 16 L. Ed. 2d 694 (1966).

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3. EXCESSIVE BAIL

Cox contends that his bail was set at \$800,000, an excessive amount that denied him of constitutional rights and the enjoyment of a full and fair defense. The record before us does not contain the transcript of Cox's bail hearing or other explanation of how the trial court determined the amount of bail. These issues are outside the record and are therefore not properly before us.

4. JURY ISSUES

Cox claims that there are two jury issues: jury pool tainting and juror misconduct. Cox claims a prospective juror tainted the jury pool when he declared that solicitation "'is a cowardise [sic] crime.'" SAG at 3. Cox alleges that another juror committed misconduct when he stated he was a "'professional' person reader," skilled in perceiving the accuracy of statements. SAG at 3. However, the transcript of jury selection is not part of our record. Thus, because these issues rely on facts outside our record, these issues are not properly before us.

B. REMAINING SAG ISSUES

1. INACCURATE TRANSCRIPT

Cox contends that there were multiple errors in the transcript of his meeting with Lopez-Ortiz, including that the State "purpose[ly]" transcribed "'you're [Lopez-Ortiz] talking murder'" as "'we're talking murder.'" SAG at 4. However, the jury did not receive the transcript into evidence; they listened to the actual recording of the meeting. Thus, it is immaterial whether the transcript was erroneous.¹⁰ Cox's assertion that the transcript was inaccurate is without merit.

¹⁰ Further, our review of the exhibit reveals that Cox says, "We're talking murder," in the recording. Ex. 6 at 11 min., 30 sec. (on file with the court).

2. PROSECUTORIAL MISCONDUCT

Cox claims that the prosecutor made two additional improper statements during his closing argument. First, the prosecutor stated that the phone conversation between Cox and Lopez-Ortiz “refer[red] to having Lisa . . . killed,” although Cox claims that he had only ever said he wanted Lisa to “disappear” and that at no point did he or Lopez-Ortiz mention murder during the phone call. SAG at 5. Second, the prosecutor stated that “[j]ust the mere fact that an offer was made under these conditions is sufficient [for a solicitation conviction].” 5 RP at 859. Cox contends that “[n]o offer was made at any time.” SAG at 5.

It is not prosecutorial misconduct for a prosecutor to draw reasonable inferences from the evidence and to express those inferences to the jury. *McKenzie*, 157 Wn.2d at 57. Prosecutors have “wide latitude” in doing so. *Boehning*, 127 Wn. App. at 519.

During the recorded phone conversation with Cox, Lopez-Ortiz said he wanted to talk about the “stuff” they had discussed “outside the elevator.” Ex. 7 at 2. In the conversation outside the elevator, Cox had proposed to give Lopez-Ortiz half of the life insurance policy on Lisa’s life if Lopez-Ortiz made Lisa “permanently disappear.” 2 RP at 290. It was thus reasonable to infer that during the telephone call, Cox and Lopez-Ortiz were discussing having Lopez-Ortiz kill Lisa. Similarly, the State’s evidence included both video and testimonial evidence that Cox offered to give Lopez-Ortiz money to kill his wife. Both the prosecutor’s arguments were proper because they were based on reasonable inferences from the evidence before the jury. Cox’s assertions of prosecutorial misconduct are without merit.

3. ENTRAPMENT/ENTICEMENT

a. ENTRAPMENT INSTRUCTION

Cox appears to claim that the trial court should have instructed the jury on an entrapment defense. Cox asserts that Lopez-Ortiz called Cox to “lure” him to commit a crime, “steering [Cox] down a path that would not [otherwise] have been taken.” SAG at 5.

Cox did not request an entrapment instruction at trial, and the failure to request an entrapment instruction waives the issue on appeal. *State v. Huynh*, 175 Wn. App. 896, 911, 307 P.3d 788 (2013) (citing *State v. Scott*, 110 Wn.2d 682, 686, 757 P.2d 492 (1988)). But we review whether an entrapment instruction was appropriate because Cox also claims ineffective assistance of counsel.

For the defense to obtain a jury instruction regarding the defense’s theory of the case, there must be sufficient evidence supporting the instruction. *State v. Redmond*, 150 Wn.2d 489, 493, 78 P.3d 1001 (2003).

To prove entrapment, a defendant must show by a preponderance of the evidence that he committed a crime, the State or a state actor lured or induced him to commit the crime, and the defendant lacked the disposition to commit the crime. *State v. Lively*, 130 Wn.2d 1, 9, 921 P.2d 1035 (1996); *see* RCW 9A.16.070(2). But entrapment is not a defense if law enforcement “merely afforded the actor an opportunity to commit a crime.” RCW 9A.16.070. The use of a normal amount of persuasion to overcome the defendant’s resistance is not entrapment; neither is the mere reluctance of the defendant to violate the law. *State v. Trujillo*, 75 Wn. App. 913, 918, 883 P.2d 329 (1994).

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Cox testified at trial that he, and not Lopez-Ortiz, first proposed that Lopez-Ortiz kill Lisa in return for payment when Cox spoke with Lopez-Ortiz outside the elevator at work. Cox testified that he was only joking. Cox also testified that he had told Parmley that Cox felt like he had been “set up” and that Lopez-Ortiz entrapped him. 4 RP at 711. But Cox did not otherwise testify at trial that he believed he had been set up or entrapped. Lopez-Ortiz did not “steer” Cox during the phone conversation; rather, Lopez-Ortiz asked if Cox was still “serious” about the “stuff” they had discussed outside the elevator. Ex. 7 at 2.

Thus, the evidence before the trial court was insufficient to support giving an entrapment defense instruction. Accordingly, even if Cox had requested such an instruction, the trial court would not have erred if it declined to give the instruction.

b. INEFFECTIVE ASSISTANCE OF COUNSEL REGARDING THE ENTRAPMENT INSTRUCTION

Cox contends that it was ineffective assistance for his defense counsel not to file a “motion for entrapment.” SAG at 8. This contention fails.

To prevail on a claim of ineffective assistance of counsel, the defendant must show both deficient performance and that the performance prejudiced his defense. *State v. Sutherby*, 165 Wn.2d 870, 883, 204 P.3d 916 (2009). If one of the two elements is not satisfied, the inquiry ends. *Kyllo*, 166 Wn.2d at 862. Counsel’s failure to request an instruction to which a defendant is not entitled is not ineffective assistance of counsel. *In re Pers. Restraint of Cross*, 180 Wn.2d 664, 718, 327 P.3d 660 (2014).

Because Lopez-Ortiz was not entitled to an entrapment instruction, as discussed above, his counsel did not perform deficiently when he did not request such an instruction. Accordingly, both Lopez-Ortiz's ineffective assistance of counsel claim and his related entrapment claim are meritless.

4. IMPERMISSIBLE OPINION ON GUILT/VERACITY

Cox contends that Lopez-Ortiz's statement that Cox was "serious" at the end of the telephone call¹¹ recording was an impermissible opinion on Cox's guilt and his veracity. SAG at 6. He claims that his defense counsel's failure to object to that part of the recording was ineffective assistance of counsel.

a. MANIFEST ERROR AFFECTING A CONSTITUTIONAL RIGHT

A witness may not provide an opinion on the defendant's guilt or the veracity of other witnesses. *State v. Montgomery*, 163 Wn.2d 577, 591, 183 P.3d 267 (2008). Where a defendant did not object to such an opinion, we will review the alleged error only if it is manifest error affecting a constitutional right. *Montgomery*, 163 Wn.2d at 595; RAP 2.5(a)(3). Error is manifest only if it caused actual prejudice or practical and identifiable consequences. *Montgomery*, 163 Wn.2d at 595-96 (holding that where the jury was instructed that it was the sole judge of witness credibility, allegedly improper opinion testimony could not have resulted in actual prejudice).

¹¹ Cox claims that at the end of the recording of the in-person meeting between him and Lopez-Ortiz, Lopez-Ortiz said, "[Cox's] serious." SAG at 6. But Lopez-Ortiz made no such comment. Cox apparently means the end of the phone call recording, when Lopez-Ortiz says, "Oh boy, [Cox is] not joking." Ex. 7 at 4.

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The State played the recording of the phone call between Lopez-Ortiz and Cox, in which they discuss killing Lisa, for the jury. At the end of the recording, Lopez-Ortiz hung up the phone and commented to the police, "Oh boy, he's not joking." Ex. 7 at 4.

We hold that even if Lopez-Ortiz's comment was an improper opinion, Cox has not shown any actual prejudice or practical and identifiable consequences resulting from the comment. The jury heard the recording of the entire conversation themselves. As in *Montgomery*, the jury was instructed that it was the sole judge of the credibility of the witnesses. That instruction cured any prejudice resulting from Lopez-Ortiz's brief comment. Cox's argument that this particular comment at the end of the recording resulted in actual prejudice or any practical and identifiable consequences fails. For this reason, Cox fails to establish any error in allowing Lopez-Ortiz's comment was "manifest" error. Accordingly, we will not consider this argument, which Cox raises for the first time on appeal.

b. INEFFECTIVE COUNSEL

As discussed, it is not apparent from the record that Cox suffered any prejudice from the comment to which he objects, in light of the jury hearing the entire recorded conversation and the court's instruction to the jury about witness credibility. Cox cannot establish a reasonable probability that the outcome of the proceeding would have differed even if he had objected to the allegedly improper statement. Accordingly, Cox's claim of ineffective assistance of counsel is without merit.

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5. FAILURE TO ADMINISTER *ANDERSON* TEST

Cox asserts that the trial court erred when it did not subject Parmley's testimony to the test from *State v. Anderson*, 107 Wn.2d 745, 733 P.2d 517 (1987). Cox further claims that his defense counsel provided ineffective assistance when he failed to request use of the *Anderson* test.

The *Anderson* test, which ensures the circumstances surrounding a statement render the statement inherently trustworthy, applies only to testimony raising "confrontation clause concerns." *State v. Roberts*, 142 Wn.2d 471, 497, 14 P.3d 713 (2000). To prevail on a claim of ineffective assistance of counsel, the defendant must show both deficient performance and that the performance prejudiced his defense. *Sutherby*, 165 Wn.2d at 883.

Because Parmley testified at trial, there were no confrontation clause concerns. Thus, counsel's request for an *Anderson* test would have been futile. Therefore, the trial court did not err, and it was not deficient performance for Cox's counsel not to request that the trial court administer the *Anderson* test.

6. MALICIOUS PROSECUTION

Cox asserts that the State added the charges for solicitation of Lopez-Ortiz's murder (count II) and DV-VPO (count III) only to "give the appearance of credibility to his weak case." SAG at 8. It is malicious prosecution for one to "maliciously and without probable cause therefor, cause . . . another to be arrested or proceeded against for any crime of which he . . . is innocent." RCW 9.62.010. However, a conviction conclusively proves that there was probable cause, unless that

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conviction was obtained by fraud, perjury, or other corrupt means. *Hanson v. City of Snohomish*, 121 Wn.2d 552, 560, 852 P.2d 295 (1993). Cox's malicious prosecution contentions as to solicitation of Lopez-Ortiz's murder (count II) and DV-VPO (count III) are meritless because those contentions are foreclosed by his convictions.

7. EXCESSIVE SENTENCE

Cox claims that his "sentence[s]" were "draconian" and clearly excessive in light of the "weakness of the charges," the lack of "aggravating factors," and the failure to take into account "similar case penalt[ies]." SAG at 8. But "[a] sentence within the standard sentence range . . . shall not be appealed."¹² RCW 9.94A.585(1); *State v. Williams*, 149 Wn.2d 143, 146, 65 P.3d 1214 (2003). Cox's sentences were each within the standard range sentence for his convictions. His excessive sentence claim therefore is without merit.

VIII. APPELLATE COSTS

Although the substantially prevailing party typically receives an award of appellate costs, the appellate court may "direct[] otherwise in its decision terminating review." RAP 14.2.

The trial court entered an order of indigency because it found Cox was "unable by reason of insufficient funds to pay for all or some of the expenses of appellate review." Order of Indigency, *State v. Cox*, No. 13-1-00914-9 (Thurston County Super. Ct., Mar. 5, 2014). In

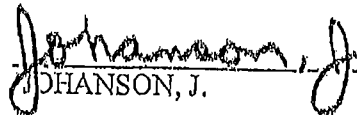
¹² Cox's challenge to the calculation of his offender score for the solicitation of Lisa's murder (count I) falls within the exception to this rule for "a party's right to challenge the underlying legal conclusions and determinations by which a court comes to apply a particular sentencing provision." *State v. Williams*, 149 Wn.2d 143, 147, 65 P.3d 1214 (2003).

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addition, Cox was 44 years old at sentencing, and he was sentenced to 399 months in prison. In the interest of preserving judicial resources, we direct that the State is not awarded appellate costs.

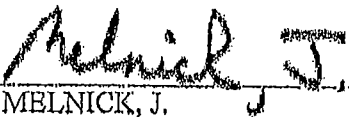
We affirm.

A majority of the panel having determined that this opinion will not be printed in the Washington Appellate Reports, but will be filed for public record in accordance with RCW 2.06.040, it is so ordered.


JOHANSON, J.

We concur:


WORSWICK, P.J.


MELNICK, J.

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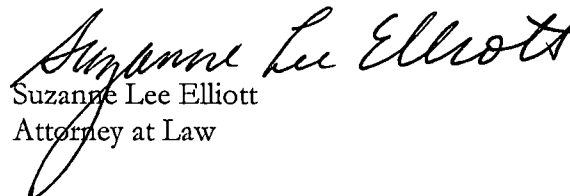
December 18, 2017

Clerk of the Court
Court of Appeals, Division II
950 Broadway
Ste 300, MS TB-06
Tacoma, WA 98402-4454

Dear Clerk:

Enclosed please find a Personal Restraint Petition for filing along with a check for the filing fee.

Sincerely,


Suzanne Lee Elliott
Attorney at Law

Cc: Mr. Craig Juris, DPA, Thurston County
SLE:ps

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